

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

-----:  
IN THE MATTER OF: :  
 :  
Layla Lounge :  
501 Morse Street NE : Fact Finding  
 : Hearing  
Retailer CT :  
License No. 79238 ANC5B :  
Case No. 14-251-00248 :  
-----:

OCTOBER 15, 2014

The Alcoholic Beverage Control  
Board met in the Alcoholic Beverage Control  
Hearing Room, Reeves Building, 2000 14th  
Street N.W., Washington, D.C., Chairperson  
Ruthanne Miller, presiding.

**PRESENT:**

**RUTHANNE MILLER, Chairperson**

**DONALD BROOKS, Member**

**NICK ALBERTI, Member**

**HECTOR RODRIGUEZ, Member**

**MIKE SILVERSTEIN, Member**

**JAMES SHORT, Member**

**HERMAN JONES, Member**

**ALSO PRESENT:**

**Eric Briggs**

**Investigator Mark Brashears**

**Lieutenant Michael Pullian**

**Rosa Jones**

**William Morales**

**Judy England**

P-R-O-C-E-E-D-I-N-G-S

2:38 p.m.

CHAIR MILLER: Okay, good  
afternoon, everybody.

All right, I'm going to call your  
case. That is Case No. 14-251-00248, Layla  
Lounge, located at 501 Morse Street,  
Northeast, License No. 79238 in ANC 5B.

This is a Fact Finding Hearing.  
Why don't we start with introductions? You  
can start on my right.

MS. ENGLAND: Judy England.

CHAIR MILLER: What is your name?

MS. ENGLAND: Judy England.

CHAIR MILLER: Okay, got it.

MR. MORALES: Williams Morales.

MS. JONES: Rosa Jones.

LIEUTENANT PULLIAN: Lieutenant  
Michael Pullian from Metropolitan Police  
Department 5th District.

INVESTIGATOR BRASHEARS:  
Investigator Mark Brashears, ABRA.

1 CHAIR MILLER: Okay, and also,  
2 there is a piece of paper for you to sign in,  
3 so, that we make sure that we have the  
4 spelling of your name right for the record.  
5 Did everybody do that?

6 Okay, so, we call this Fact  
7 Finding Hearing, because there was an incident  
8 this Summer, where there was some shooting, I  
9 believe outside the establishment, and so, we  
10 wanted to find out some more information about  
11 it.

12 It's not an evidentiary hearing.  
13 No one is under oath, and we're not going to  
14 be taking any specific action today, you know,  
15 with respect to whatever incidents we hear  
16 about, except for the fact that we may  
17 afterwards, decide that based on the facts we  
18 heard, that warrants being sent to the Office  
19 of Attorney General, for their looking into  
20 taking action on the matter, or something of  
21 that sort.

22 So, is that understood by everyone

1 here?

2 (No audible response)

3 CHAIR MILLER: Okay, so, why don't  
4 we start on my left and Mr. Brashears and  
5 Lieutenant, if you want to give us your  
6 information about what happened that evening.

7 Whoever wants to go first, whoever  
8 it makes sense, and then I realize your time  
9 is valuable, and we appreciate you coming down  
10 here, and if you have to leave at any time,  
11 just let us know.

12 LIEUTENANT PULLIAN: I'm all  
13 your's.

14 CHAIR MILLER: What?

15 LIEUTENANT PULLIAN: I'm all  
16 your's.

17 CHAIR MILLER: Okay, good. All  
18 right, well, thank you. So, however you two  
19 want to proceed.

20 INVESTIGATOR BRASHEARS: You can  
21 got first and then I can add my investigation.

22 LIEUTENANT PULLIAN: Sure.

1        Approximately 0300 hours, we got a call from  
2        a location for a shooting. We responded, and  
3        there, I believe we found two victims on the  
4        scene suffering from gun shot wounds. A third  
5        victim ended up appearing at the hospital.

6                The information we gained from the  
7        victims and witnesses is that an altercation  
8        had taken place inside of the club. I believe  
9        they had been escorted out and once outside,  
10       a shooting had been taking place.

11               None of the victims, I believe we  
12       actually people who were targeted. They were  
13       just hit by stray gun fire, as there were a  
14       lot of people out in the street after the  
15       event.

16               We were not notified of the fight  
17       within the club, and the club was operating  
18       without any type of reimbursable MPD detail,  
19       and I believe that's it.

20               We were able to do the follow up  
21       investigation. We did identify the shooter  
22       and apprehend him.

1 CHAIR MILLER: So, I just want to  
2 ask you a quick question.

3 You weren't notified. How did you  
4 happen to come to the establishment?

5 LIEUTENANT PULLIAN: We got a  
6 call, once the shooting occurred.

7 CHAIR MILLER: When the shooting  
8 occurred, you got it, or you didn't -- you  
9 weren't notified when there was a fight?

10 LIEUTENANT PULLIAN: That's  
11 correct.

12 CHAIR MILLER: Okay, are there  
13 Board questions right now?

14 MEMBER SILVERSTEIN: Who called  
15 you about the shooting?

16 LIEUTENANT PULLIAN: I can't -- I  
17 couldn't recall. It was somebody outside, be  
18 it a victim or a witness.

19 CHAIR MILLER: Okay.

20 LIEUTENANT PULLIAN: Actually, let  
21 me check.

22 CHAIR MILLER: Okay.

1                   LIEUTENANT PULLIAN: It does look  
2     like it was a witness from outside the club.

3                   CHAIR MILLER: Okay.

4                   INVESTIGATOR BRASHEARS: From  
5     ABRA's perspective, we got a call at  
6     approximately 3:20 a.m. on the ABRA hotline.  
7     We rolled out to the location, made contact  
8     with Lieutenant Edward Bernat, who was the on-  
9     scene commander.

10                  At that point, what he could tell  
11     us is there wasn't a definitive, as to whether  
12     what happened outside was related inside or  
13     not.

14                  Throughout the course of my  
15     investigation, we spoke with the victims. One  
16     of the victims, Ms. Fraser, basically stated  
17     that she believed what transpired in the  
18     parking lot had something to do with an  
19     altercation that happened inside the  
20     establishment.

21                  The other two witnesses were  
22     basically, really didn't want to be involved.



1                   Through the course of my  
2           investigation, reviewing all the video from  
3           the night of the incident, I only saw one  
4           altercation occur on video. It happened as  
5           the club was letting out.

6                   A female in a white dress got into  
7           an altercation with another female, a shoving  
8           match, where a trash can was knocked over  
9           ensued.

10                   She was lead out by security, off  
11           the shot of the camera, and 45 seconds later,  
12           shots rang out, or I say shots rang out.  
13           People in the parking lot began to duck and  
14           cover.

15                   Throughout the rest of my  
16           investigation, the only other thing that I was  
17           actually able to substantiate were some  
18           settlement and security plan violations, which  
19           I placed in my report.

20                   CHAIR MILLER: Okay, thank you.  
21           So, how close was the shooting in time to  
22           closing?

1                   INVESTIGATOR BRASHEARS: It was  
2                   after the club had technically closed, from  
3                   what I understand. It was approximately 3:12  
4                   or 3:13 a.m.

5                   CHAIR MILLER: So, people were  
6                   still leaving the club?

7                   INVESTIGATOR BRASHEARS: Yes.

8                   CHAIR MILLER: Okay, and was it  
9                   chaotic or orderly before the shooting?

10                  INVESTIGATOR BRASHEARS: From what  
11                  I saw on the video --

12                  CHAIR MILLER: Yes.

13                  INVESTIGATOR BRASHEARS: --  
14                  basically, the first floor of the  
15                  establishment wasn't being utilized at that  
16                  time, and everyone seemed to be coming down a  
17                  side stairwell to the front entrance in a  
18                  fairly orderly manner, and were coming out in  
19                  two's and three's.

20                  CHAIR MILLER: And you can't tell  
21                  where the shots came from or can you?

22                  INVESTIGATOR BRASHEARS: No,

1       ma'am, that was not captured on the video.

2               CHAIR MILLER:   Okay, Lieutenant,  
3       has anybody been arrested in connection?

4               LIEUTENANT PULLIAN:   Yes, ma'am.

5               CHAIR MILLER:   Okay.

6               LIEUTENANT PULLIAN:   And the case  
7       has been closed.

8               CHAIR MILLER:   Okay, so, do you  
9       have more information about the shooting, that  
10      you can share with us, as far as like who the  
11      shooter was or why the shooting?

12              LIEUTENANT PULLIAN:   If you want  
13      to give me just a minute, let me review some  
14      of the detective's notes.

15              CHAIR MILLER:   Okay.

16              LIEUTENANT PULLIAN:   I'll have  
17      some more for you.

18              CHAIR MILLER:   I mean, I'm  
19      interested in -- we're interested, obviously,  
20      whether that person -- the shooter was patron  
21      or not a patron, not the name of the person.

22              LIEUTENANT PULLIAN:   Yes, he did

1 state in an interview with detectives, that he  
2 was at the club.

3 CHAIR MILLER: Does he state  
4 whether he had brought the gun into the club?

5 LIEUTENANT PULLIAN: He stated  
6 that there was a verbal altercation inside of  
7 the club. It appeared to be over a female.

8 The defendant left the club at  
9 closing to go to his car. He retrieved his  
10 handgun from the vehicle, rejoined his friends  
11 that were outside of the club. They began  
12 arguing, the same group of individuals from  
13 inside the club.

14 He feared for his safety and the  
15 safety of his friends, because his group was  
16 out-numbered, and he attempted to de-escalate  
17 the situation by firing a warning shot into  
18 the air.

19 After he turned into the air, he  
20 fired two to three more shots towards people  
21 he believed to be charging towards him.

22 That's from this statement.

1 CHAIR MILLER: Okay, and did you  
2 say he shot because he was afraid for his  
3 safety?

4 LIEUTENANT PULLIAN: He claims  
5 that he was --

6 MEMBER SILVERSTEIN: He claimed?

7 LIEUTENANT PULLIAN: That is, the  
8 defendant claimed.

9 MEMBER SILVERSTEIN: What did he  
10 claim?

11 LIEUTENANT PULLIAN: That he was -  
12 - that the group he was with was out-numbered,  
13 he fear for his safety and his friends -- for  
14 his safety and his friends, that he attempted  
15 to get his group of friends out of the  
16 location. He said that it was escalating, so  
17 he fired a round into the air.

18 He turned around, attempted to get  
19 his friends in the car, saw 13 individuals  
20 charging at him, at which time he fired two to  
21 three more shots towards the charging  
22 individuals.

1 CHAIR MILLER: Okay, thank you.

2 LIEUTENANT PULLIAN: Then he got  
3 into his vehicle and fled the scene.

4 CHAIR MILLER: Okay, yes, Mr.  
5 Short?

6 MR. SHORT: Lieutenant, thank you  
7 for being here today. We thank for your time  
8 and service to the city.

9 This is your regular PSA, I take  
10 it?

11 LIEUTENANT PULLIAN: This is  
12 actually Lieutenant Bernat, who we mentioned  
13 earlier. This is his regular PSA. He's at a  
14 family function today.

15 MR. SHORT: Okay, not a problem.  
16 Thank you.

17 Now, the gentleman that was -- who  
18 was taken and arrested, what was the charge  
19 that was placed against him?

20 LIEUTENANT PULLIAN: I believe he  
21 was charged with assault with a dangerous  
22 weapon.

1                   MR. SHORT:   Okay, and again, he  
2   did say he was in the club?   He was part of  
3   the --

4                   LIEUTENANT PULLIAN:   Yes, my notes  
5   do indicate that when interviewed by our  
6   investigators, he did indicate that he was  
7   inside of the club and his friends were  
8   involved in a verbal altercation.

9                   MR. SHORT:   How familiar are you  
10   with this venue?

11                  LIEUTENANT PULLIAN:   I had  
12   actually never been inside.

13                  MR. SHORT:   Never been inside,  
14   okay.   Are you familiar with any history of  
15   this venue?

16                  LIEUTENANT PULLIAN:   Not  
17   particularly.

18                  MR. SHORT:   Okay, that's all I  
19   have, Madam Chair.   Thank you very much,  
20   Lieutenant.

21                  CHAIR MILLER:   I just want to make  
22   sure I understood correctly.

1                   So, the 13 people you said that  
2                   was charging him, or whatever, they were the  
3                   same people that -- who was involved in an  
4                   altercation with inside?

5                   LIEUTENANT PULLIAN: This is what  
6                   the defendant states.

7                   CHAIR MILLER: Yes, is that the  
8                   defendant's statement, though?

9                   LIEUTENANT PULLIAN: Yes.

10                  CHAIR MILLER: Okay, thank you.  
11                  Mr. Silverstein?

12                  MEMBER SILVERSTEIN: So, the  
13                  suspect, the individual arrested said, and let  
14                  me get this correct, that he feared and went  
15                  to his car and got a gun.

16                  What did he do with the gun? Did  
17                  he go back -- did he say he went back into the  
18                  club or to the front of the club, or what did  
19                  he do, once he had the gun?

20                  LIEUTENANT PULLIAN: He says once  
21                  he retrieved the vehicle -- the weapon from  
22                  his vehicle, he rejoined his friends that were



1 outside of the club.

2 MEMBER SILVERSTEIN: Thank you.

3 No further questions.

4 CHAIR MILLER: Do you have any?

5 MEMBER ALBERTI: Go ahead, Mr.

6 Rodriguez.

7 CHAIR MILLER: Mr. Rodriguez?

8 MEMBER RODRIGUEZ: So, Lieutenant,  
9 this guy went to get a gun, to his vehicle,  
10 before he was assaulted? Is that right?

11 LIEUTENANT PULLIAN: I don't  
12 believe we actually have any evidence that the  
13 gunman was ever assaulted.

14 MEMBER RODRIGUEZ: Okay, so, there  
15 was an altercation inside the club. He goes  
16 to his vehicle to get a gun, but he had not  
17 been assaulted by 13 people yet, right?

18 LIEUTENANT PULLIAN: This is all  
19 the defendant's --

20 MEMBER RODRIGUEZ: All the  
21 defendants, right?

22 LIEUTENANT PULLIAN: No, this is

1 his statement. This is what he -- his  
2 version.

3 MEMBER RODRIGUEZ: Right, okay.  
4 So, really, what you have is somebody who was  
5 threatened by a group of people and then he  
6 took his gun and shot it, indiscriminately,  
7 right?

8 LIEUTENANT PULLIAN: He claims he  
9 was threatened by a group of people.

10 MEMBER RODRIGUEZ: Okay.

11 LIEUTENANT PULLIAN: We have not -  
12 - I mean, I don't know that they were able to  
13 verify that. But he did -- he was not in fear  
14 of his safety, so much that he left. Rather,  
15 he retrieved the firearm and returned.

16 MEMBER RODRIGUEZ: Right. Did he  
17 indicate that he had any previous relationship  
18 with any of the people?

19 LIEUTENANT PULLIAN: That, I'll  
20 have to check. It does not indicate that he  
21 stated he knew the people.

22 MEMBER RODRIGUEZ: Okay,

1       Lieutenant, thank you.

2                   CHAIR MILLER:  Others?

3                   MEMBER ALBERTI:  Yes, thank you.

4                   CHAIR MILLER:  Mr. Alberti?

5                   MEMBER ALBERTI:  Investigator

6       Brashears, do you remember looking at this  
7       video or do you have -- do you remember what  
8       you saw?

9                   INVESTIGATOR BRASHEARS:  Yes, sir.

10                  MEMBER ALBERTI:  Great, very good.

11       Okay, I'm reading here, it says, "3:10, a  
12       stream of people can be seen coming down the  
13       stairs in the establishment and exiting the  
14       main entrance."

15                  Then, "At 3:12, a security person  
16       runs into the building and a minute later, is  
17       escorting somebody out."

18                  So, during that time, so, the  
19       camera is focused on the entrance?

20                  INVESTIGATOR BRASHEARS:  Yes, sir,  
21       basically, I viewed all the camera footage  
22       from that night, looking for any altercations.

1                   MEMBER ALBERTI: Right.

2                   INVESTIGATOR BRASHEARS:

3       Understandably, bathrooms aren't covered,  
4       stairwells aren't covered. So, there could  
5       have been something that took place, that I  
6       did not see.

7                   But the two cameras that I focused  
8       on during the incident was the one on the main  
9       floor, by the main entrance.

10                  So, I have a review of the  
11       altercation that occurred with the female in  
12       the white dress inside, and then what I saw  
13       from the outside, what was going on.

14                  MEMBER ALBERTI: Okay, so, and I'm  
15       focusing on the angles that you have here.

16                  So, what did the crowd look like  
17       outside that door? I know it's a broad  
18       question.

19                  INVESTIGATOR BRASHEARS: No, sir,  
20       it was very sporadic. I mean, as I said, the  
21       personnel were flowing down a --

22                  MEMBER ALBERTI: Okay, well, let

1 me ask you a specific question.

2 Were they hanging out right there  
3 at the door? Were they all walking out to the  
4 thing? I mean --

5 INVESTIGATOR BRASHEARS: There  
6 were a couple of people loitering inside the  
7 door, and the female in the white dress,  
8 actually exited and then came back and  
9 loitered for a short time, and then got into  
10 an altercation with another female.

11 MEMBER ALBERTI: Okay, so, let's  
12 stay with that. I'm going to continue about  
13 the crowd in a moment.

14 So, she left and came back in, but  
15 that doesn't say that here.

16 You start, "A female in a white  
17 dress," oh, at 3:09, she enters the  
18 establishment?

19 INVESTIGATOR BRASHEARS: Yes, sir.

20 MEMBER ALBERTI: I see that now,  
21 thank you. So, she walks in, and then two  
22 minutes later, the security guard runs in.

1       So, I'm assuming something must have happened  
2       to bring -- get his attention, and a minute  
3       later, she is being escorted out.

4                   INVESTIGATOR BRASHEARS:   Yes, sir.

5                   MEMBER ALBERTI:    Okay.

6                   INVESTIGATOR BRASHEARS:   There is  
7       a brief skirmish, a trash can is knocked over.  
8       She falls onto a bench.

9                   MEMBER ALBERTI:    Okay, was she the  
10      only --

11                  INVESTIGATOR BRASHEARS:   And then  
12      she is escorted --

13                  MEMBER ALBERTI:    -- one who came  
14      back in at about that time?

15                  INVESTIGATOR BRASHEARS:   That I  
16      could see, yes sir, and like I said, there  
17      were a few people kind of loitering near the  
18      entrance and a few people outside, but not a  
19      big crowd.  They weren't unruly or anything  
20      like that.

21                  MEMBER ALBERTI:    Okay, so, what --  
22      were people just coming out at that time, at

1       about 3:10?

2                   INVESTIGATOR BRASHEARS:   Yes, sir.

3                   MEMBER ALBERTI:   All right, and  
4       then she was the only one that came back in?

5                   INVESTIGATOR BRASHEARS:   That I  
6       saw, yes, sir.

7                   MEMBER ALBERTI:   Okay, all right.  
8       Yes, my other question.   You brought up  
9       something else.

10                   All right, so, you looked at all  
11       the camera angles?

12                   INVESTIGATOR BRASHEARS:   Yes sir.

13                   MEMBER ALBERTI:   Can you -- the  
14       best of your recollection, tell me what  
15       portions of that club were covered or not  
16       covered, and I'm trying to get at, you know,  
17       your -- you know, did you note things that  
18       should have been covered, you thought would  
19       have been beneficial to be covered, and things  
20       that were covered, that should be covered?

21                   INVESTIGATOR BRASHEARS:   It  
22       actually looked to be fairly well covered.   I

1 mean, there were a couple of areas, obviously,  
2 that are covered for the establishment's  
3 purposes. I think they had a camera in the  
4 kitchen, maybe a storage area, things like  
5 that.

6 But the main --

7 MEMBER ALBERTI: Camera on the  
8 cash register?

9 INVESTIGATOR BRASHEARS: Yes, sir.  
10 The main areas of the club were covered and  
11 the roof was covered, and the roof actually  
12 had the ability, I found out later, to canvas  
13 around, because once the shooting started,  
14 someone was actually using the camera to try  
15 to capture what was going on. But obviously,  
16 it was over at that point.

17 MEMBER ALBERTI: The one on the  
18 roof shows the outside or shows the roof?

19 INVESTIGATOR BRASHEARS: It showed  
20 the roof, but it has the ability to pan.

21 MEMBER ALBERTI: Okay, so, it pans

22 --



1                   INVESTIGATOR BRASHEARS:  On the  
2   video --

3                   MEMBER ALBERTI:  It panned to the  
4   exterior of the building?

5                   INVESTIGATOR BRASHEARS:  Yes, sir.

6                   MEMBER ALBERTI:  Okay, okay.  
7   Okay, thank you.

8                   CHAIR MILLER:  Mr. Silverstein?

9                   MEMBER SILVERSTEIN:  Investigator  
10  Brashears, the person -- the individual who  
11  was involved, the woman in the altercation,  
12  came back in at 3:09?

13                  INVESTIGATOR BRASHEARS:  Yes, sir.

14                  MEMBER SILVERSTEIN:  What time --  
15  what were the hours for this club?  Was that  
16  beyond closing?

17                  INVESTIGATOR BRASHEARS:  No, sir,  
18  I believe -- I'll have to check my report, but  
19  I believe sales and service were three and I  
20  believe closing was actually at four.

21                  MEMBER SILVERSTEIN:  Very well.  
22  Was she checked?  Stopped?  Tell me what

1       happened at the front door again.

2                   INVESTIGATOR BRASHEARS:   She  
3       walked up and it appeared that -- obviously,  
4       there's no audio, but the way it looked, the  
5       personnel there were familiar with her. No  
6       one sent her away, and she didn't seem to be  
7       problematic at first, and then as I say,  
8       another female starts to go through the entry  
9       way, and it's -- the camera shot is right on  
10      the entrance, and there's a small brief  
11      hallway to the outside.

12                  Right in that area, something, a  
13      push, a shove, something on the camera  
14      occurred, and it came back into the club.

15                  MEMBER SILVERSTEIN:   Thank you.  
16      No further questions.

17                  CHAIR MILLER:   Okay, others?

18                  MEMBER BROOKS:   Yes.

19                  CHAIR MILLER:   Yes, Mr. Brooks.

20                  MEMBER BROOKS:   Yes, thank you,  
21      Madam Chair. Investigator Brashears, did you  
22      have a chance to talk to the owner, that

1 night?

2 INVESTIGATOR BRASHEARS: No, sir,  
3 I don't believe I spoke with the owner that  
4 night. I spoke with the owner the following  
5 evening.

6 MEMBER BROOKS: Okay, did you  
7 speak with anyone in charge, ABC manager or  
8 anyone who --

9 INVESTIGATOR BRASHEARS: We spoke  
10 briefly with the ABC manager that night, and  
11 I think the head.

12 MEMBER BROOKS: I'm sorry?

13 INVESTIGATOR BRASHEARS: I believe  
14 it was the ABC manager and the head of  
15 security, is who we spoke with briefly that  
16 evening.

17 MEMBER BROOKS: Okay, and did they  
18 realize what had transpired?

19 INVESTIGATOR BRASHEARS: Yes,  
20 basically my understanding of it was,  
21 everything was pretty much quiet throughout  
22 the course of the evening, with the exception

1 of the female that was escorted out, and at  
2 some point earlier in the night, according to  
3 the head of security, there was a disagreement  
4 between two male patrons, but as he put it, it  
5 was basically squashed on the spot. They made  
6 up. They had a drink. There weren't any  
7 further issues.

8 MEMBER BROOKS: Okay, and the  
9 people that you interviewed, were they  
10 cooperative?

11 INVESTIGATOR BRASHEARS: Yes, sir.

12 MEMBER BROOKS: Okay, so you got  
13 all the information that you asked of them,  
14 that they knew at the time?

15 INVESTIGATOR BRASHEARS: Yes, sir.

16 MEMBER BROOKS: Okay, thank you,  
17 Madam Chair.

18 CHAIR MILLER: Thank you. Okay,  
19 others?

20 (No audible response)

21 CHAIR MILLER: Lieutenant, I just  
22 wonder if you got any other statements from

1     any other individuals, which would shed light  
2     on who was involved in the fighting outside.

3                 LIEUTENANT PULLIAN: I do not  
4     believe that any of the victims were involved  
5     in that.

6                 Two of the victims were  
7     cooperative. I do believe there was one that  
8     did not give us any pertinent information.

9                 I do believe the detective spoke  
10    with the security folks that night, who were  
11    helpful in obtaining the videos and pointing  
12    out the image of the shooter on the footage.

13                CHAIR MILLER: I'm just wondering  
14    if there is any reason to believe that anybody  
15    involved in the fighting outside was not a  
16    patron, or if they were all patrons.

17                LIEUTENANT PULLIAN: I don't know  
18    that. I do know that in that area, the only  
19    thing that's really open besides that is the  
20    Subway shop, down the block, but I have no  
21    information that anyone was not involved.

22                CHAIR MILLER: Okay, Mr. Short?

1                   MR. SHORT: Yes, Lieutenant,  
2 again, how was the suspect -- how was he  
3 arrested? Was he arrested on the scene?

4                   LIEUTENANT PULLIAN: No, he was  
5 not arrested on the scene. He was arrested  
6 through an investigation afterwards.

7                   MR. SHORT: Was it that night or  
8 somewhere in proximity?

9                   LIEUTENANT PULLIAN: No, it was  
10 after an identification procedure was done.  
11 I believe the shooting was the night of July  
12 26th, and I believe on August 18th, he was  
13 arrested. So, it was approximately three  
14 weeks.

15                  MR. SHORT: Okay, this question  
16 might not be fair for you, but I just want to  
17 ask and maybe you have information.

18                  During the investigation of this  
19 suspect being arrested, was it determined that  
20 he's a regular at is club or is he a frequent  
21 client, or did that information come about?

22                  LIEUTENANT PULLIAN: That, I do

1 not believe. I don't know.

2 MR. SHORT: Okay, thank you.

3 Thank you, Madam Chair.

4 CHAIR MILLER: Okay, anybody else?  
5 Anything else you want to add right now,  
6 before we go to the Layla? Mr. Silverstein,  
7 do you have a question?

8 MEMBER SILVERSTEIN: I would ask  
9 either of you, the general record or tenor  
10 inside and outside this club, is this club a  
11 pattern of problems? Is this a club that this  
12 was a one-shot deal, so to speak, whereas this  
13 was a one-time occurrence?

14 INVESTIGATOR BRASHEARS: From an  
15 ABRA perspective, sir?

16 MEMBER SILVERSTEIN: Yes, both.

17 INVESTIGATOR BRASHEARS: The  
18 investigative history of this establishment is  
19 roughly five violations since 2008.

20 MEMBER SILVERSTEIN: Are any of  
21 them violence?

22 INVESTIGATOR BRASHEARS: A

1 disorderly conduct outside the establishment  
2 in 2010. An assault with a deadly weapon in  
3 2011, and then the assault with a deadly  
4 weapon on the 26th of July.

5 MEMBER ALBERTI: I'm going to  
6 interject here, just so the record is correct,  
7 and I don't want it to be misleading.

8 When Investigator Brashears says  
9 five violations, what he's really referring to  
10 is five items, not necessarily violations.

11 INVESTIGATOR BRASHEARS: Yes, I'm  
12 sorry, sir.

13 MEMBER ALBERTI: There are five  
14 incidents on their investigative history.

15 INVESTIGATOR BRASHEARS: Five ABRA  
16 investigations.

17 MEMBER ALBERTI: I just want the  
18 record to -- to make sure we're correct in  
19 reflecting that.

20 INVESTIGATOR BRASHEARS: Five  
21 cases.

22 MEMBER ALBERTI: So, we're fair to



1 everybody. Five instances, yes, thank you.

2 LIEUTENANT PULLIAN: I've been  
3 here since January, and I do believe this is  
4 the only crime we've actually had at the  
5 location.

6 There has been a couple of theft  
7 from autos in those areas around there where  
8 the patron was parked, but this is the only  
9 offense we've actually had from the club.

10 MEMBER SILVERSTEIN: Thank you.

11 CHAIR MILLER: Okay, anybody else?  
12 All right, well, I'm not sure who wants to go  
13 first. If you want to address any of the  
14 issues that we've been discussing. You know,  
15 the -- the role of the establishment that  
16 night, and what happened or how things are  
17 there generally, what you do about checking  
18 for weapons, those kind of issues.

19 MR. BRIGGS: I'm the, I guess you  
20 would call lead security.

21 CHAIR MILLER: Could you --

22 MR. BRIGGS: My name is Eric

1 Briggs. I'm the head security.

2 CHAIR MILLER: You're the head  
3 security? Can you give us your name, for the  
4 record?

5 MR. BRIGGS: Eric Briggs.

6 CHAIR MILLER: Briggs, okay.  
7 What? Briggs?

8 MR. BRIGGS: B-R-I-G-G-S.

9 CHAIR MILLER: Yes, okay.

10 MR. BRIGGS: And on the night of  
11 the incident, I was actually the one that made  
12 the 911 phone call.

13 One discrepancy I do want to clear  
14 up, the young lady in the white dress is not  
15 related to that incident, what so ever.

16 She had been asked to leave,  
17 because she had become mostly, threatening to  
18 other patrons and some security. She  
19 assaulted maybe two at the least -- two  
20 security guards, at the least, coming down  
21 from downstairs, down the steps.

22 The young lady was asked to leave.

1 She did come back at some point at time,  
2 because she needed her purse, and her purse  
3 was taken out to her.

4 If I'm not mistaken, she was with  
5 -- she was in the company with the  
6 photographer for the event.

7 So, that night, she actually was  
8 asked to leave, and you know, the young lady  
9 that you guys her with at the -- well, that  
10 the investigators saw her in the altercation,  
11 was with security, and she had gotten very  
12 violent with security, and they asked her to  
13 leave again.

14 But she was not tied into that  
15 situation what so ever.

16 The situation that was -- that he  
17 had spoke of, that -- between the two  
18 gentlemen was never really a situation. It  
19 was a verbal disagreement, and I had saw them.  
20 They were standing in each other's faces. I  
21 can't tell if they were yelling at each other,  
22 because the music was loud.

1                   But it wasn't really apparent that  
2                   they were getting ready to fight, or even had  
3                   a big misunderstanding.

4                   Once I stepped and spoke to them,  
5                   they assured me that they were cousins, that  
6                   they were just trying to sort something out,  
7                   and they actually shook each other's hands in  
8                   front of me.

9                   Neither one of those two guys is  
10                  the shooter. Neither one of those two guys  
11                  was the shooter.

12                  That night, I had pretty much --  
13                  once I called the police, I spoke to ABRA, and  
14                  all we -- we were fully, you know,  
15                  cooperative, with showing video and everything  
16                  like that.

17                  No guns have ever been inside of  
18                  our club, especially that night.

19                  CHAIR MILLER: What do you do to  
20                  prevent guns from coming in?

21                  MR. BRIGGS: We wand and we  
22                  physically pat down.

1 CHAIR MILLER: You wand and you  
2 pat down?

3 MR. BRIGGS: Every time they come  
4 in and out of our club.

5 CHAIR MILLER: How many security  
6 personnel are there?

7 MR. BRIGGS: Six, at least.

8 CHAIR MILLER: At least, okay, so,  
9 and there was an event that night?

10 MR. BRIGGS: Yes, it was an event  
11 that night.

12 CHAIR MILLER: What kind of an  
13 event?

14 MR. BRIGGS: It was a -- pretty  
15 much, a part hosted by a DJ, on the upstairs  
16 floor.

17 CHAIR MILLER: So, does -- I'm not  
18 sure who the person was, but is that -- does  
19 that entertainer attract a certain kind of  
20 crowd or did you have a different crowd that  
21 night or the same?

22 MR. BRIGGS: It's not necessarily

1 an entertainer. It was just a party. We had  
2 a DJ. There was no band, no performance or  
3 anything, you know, just a party, so we had a  
4 crowd.

5 CHAIR MILLER: Did you know -- do  
6 you know who the shooter is?

7 MR. BRIGGS: I don't wish to say.

8 CHAIR MILLER: Okay, but you knew  
9 those individuals were not the shooter?

10 MR. BRIGGS: The two individuals  
11 that I had spoken to?

12 CHAIR MILLER: Yes.

13 MR. BRIGGS: The shooter was not  
14 one of those individuals, and there was never  
15 a big -- there was never a fight about to  
16 happen inside the club, at all, or I'd have  
17 been made aware of it. I'd have been part of  
18 it.

19 CHAIR MILLER: Okay.

20 MR. BRIGGS: Or had a hand in it,  
21 or seen it or --

22 CHAIR MILLER: Other Board Members

1 have questions? Yes, Mr. Alberti?

2 MEMBER ALBERTI: Do we have an  
3 owner or a licensee here?

4 MS. JONES: Rosa Jones.

5 MEMBER ALBERTI: Rosa Jones, okay.  
6 Thank you for coming, Ms. Jones.

7 First of all, this concerns us,  
8 obviously, that's why you're here. But I want  
9 to commend you for cooperation with the  
10 investigator, and providing the video.

11 You have no idea how many times we  
12 hear, "The rats ate our wires and we can't  
13 show you the video." Honestly.

14 So, that level of cooperation is  
15 appreciated.

16 How many -- okay, so, how many  
17 people were there that evening?

18 MS. JONES: Approximately 200 to  
19 250. I was not there that night.

20 MEMBER ALBERTI: Right, right, so,  
21 Mr. Briggs can answer, if you prefer you do  
22 that.

1 MS. JONES: Yes.

2 MR. BRIGGS: There were no more  
3 than 200 people. It was only an upstairs  
4 event --

5 MEMBER ALBERTI: Okay.

6 MR. BRIGGS: -- the whole club  
7 wasn't being used.

8 MEMBER ALBERTI: And you have how  
9 many security -- how many security guards did  
10 you have that night?

11 MR. BRIGGS: Six, that night.

12 MEMBER ALBERTI: Six, that night,  
13 okay. This DJ, is he someone who you have  
14 employed before?

15 I say employed, I know you  
16 probably have a contract with other -- I'm not  
17 sure if it's employment, but is he someone  
18 you've done business with before?

19 MR. BRIGGS: No, it was a fairly  
20 new event that we had going on, a fairly new  
21 DJ that we had used that event.

22 MEMBER ALBERTI: Okay, okay. Any



1       suspicion that some of the trouble could have  
2       been related to his entourage?

3               MR. BRIGGS: I can't really speak  
4       on that.

5               MEMBER ALBERTI: Okay.

6               MR. BRIGGS: Because I really  
7       don't, you know, I really don't know the DJ  
8       personally or if he --

9               MEMBER ALBERTI: Okay, all right,  
10      I mean, you understand what I'm asking you?

11              I mean, DJ's bring their own crowd  
12      sometimes, their own friends, their own  
13      entourage, and sometimes, they're not the best  
14      behaved people.

15              MR. BRIGGS: We really try to stay  
16      away from having those kind of DJ's.

17              MEMBER ALBERTI: I understand, I  
18      understand, but you don't have any control.  
19      So, I'm not saying that you're purposely doing  
20      this, but do you --

21              MR. BRIGGS: The DJ didn't have an  
22      entourage.

1                   MEMBER ALBERTI:   Okay.

2                   MR. BRIGGS:   He never came with an  
3   entourage.   It was only him and his equipment.

4                   MEMBER ALBERTI:   Okay, okay.   One  
5   of the things that we haven't discussed, and  
6   is of concern to me is, you know, I know where  
7   the club is.   You've got this big parking lot  
8   and there's nobody around at night.

9                   What do you do to sort of monitor  
10   the crowd outside after you close, because I  
11   mean, you have to admit, there's a potential  
12   out there.

13                  MR. BRIGGS:   Absolutely.   We try  
14   our best to push them to their cars.   We try  
15   not to let them loiter in front of the  
16   building.

17                  MEMBER ALBERTI:   Okay.

18                  MR. BRIGGS:   You know, we can't  
19   really be too forceful with them in the  
20   street, so, you know, we ask them, you know,  
21   politely go to their cars.

22                  A lot of times, 5D is already in

1 the street with them.

2 MEMBER ALBERTI: A lot of times  
3 what?

4 MR. BRIGGS: Fifth District.

5 MEMBER ALBERTI: They're there  
6 already?

7 MR. BRIGGS: They're just, you  
8 know, riding around, or they're just -- you  
9 know, they know the club has --

10 MEMBER ALBERTI: Okay.

11 MR. BRIGGS: -- regular letting  
12 out, so they're just sometimes, just there.  
13 Most of them times, there but -- but we only  
14 push them to their vehicles, ask them to go  
15 nicely.

16 We don't let them carry, you know,  
17 beverages outside the club.

18 MEMBER ALBERTI: Okay.

19 MR. BRIGGS: We do our best to  
20 make sure there's not a crowd hanging in front  
21 of the building.

22 MEMBER ALBERTI: All right, I'm

1 going to give you my personal opinion, only as  
2 one Board Member.

3 I see an incident like this, it  
4 kind of raises my alertness.

5 So, I'm going to be watching to  
6 see if we have other reports of things  
7 happening in and around your establishment,  
8 only -- and I'm only saying is, that you might  
9 be mindful of any trends that you're seeing  
10 outside and think about whether you need to  
11 hire a security guard out there or something,  
12 because it sounds like, you know.

13 I don't know, this may be a one-  
14 off, and you have to judge that for yourself,  
15 but I'm asking you to be mindful, as you go  
16 forward.

17 MR. BRIGGS: Absolutely.

18 MEMBER ALBERTI: Okay, thank you.

19 CHAIR MILLER: Mr. Rodriguez?

20 MEMBER RODRIGUEZ: Mr. Briggs,  
21 right? Mr. Briggs.

22 MR. BRIGGS: Sir.

1                   MEMBER RODRIGUEZ:   Now, Mr.  
2                   Briggs, were you surprised when you heard the  
3                   shots?

4                   MR. BRIGGS:   Absolutely.

5                   MEMBER RODRIGUEZ:   And where were  
6                   you, when you heard the shots?

7                   MR. BRIGGS:   About 10 feet away  
8                   from it.   I was actually heading out to the  
9                   scuffle in the street, and I heard the shots.  
10                  I knew it was very, very close me --

11                  MEMBER RODRIGUEZ:   Right.

12                  MR. BRIGGS:   -- but I didn't see  
13                  it, and I turned --

14                  MEMBER RODRIGUEZ:   Right, so, what  
15                  about the people that were charging this guy?

16                  I mean, were you able to determine  
17                  if any of the people that rushed this guy were  
18                  in the club at some point?

19                  MR. BRIGGS:   I'm not so sure about  
20                  13 guys rushing him, the guy.

21                  CHAIR MILLER:   Yes, and Lieutenant  
22                  wants to clarify something.

1                   MEMBER RODRIGUEZ: The Lieutenant  
2 wants to clarify something?

3                   CHAIR MILLER: Yes.

4                   LIEUTENANT PULLIAN: Just through  
5 some of the other interviews of witnesses, the  
6 detectives have indicated that the other  
7 witnesses provided accounts that were  
8 different. So, different account, indicated  
9 it looked like he was looking to fight with  
10 one gentleman, prior to producing a handgun  
11 and firing.

12                  MEMBER RODRIGUEZ: I didn't hear  
13 that, Lieutenant, I'm sorry.

14                  LIEUTENANT PULLIAN: I'm sorry.  
15 The detectives indicated that they interviewed  
16 other witnesses that provided a different  
17 account, rather than the 13 people rushing  
18 him.

19                         One particular witness indicated  
20 that two males were dancing around like they  
21 wanted to fight, did not actually physically  
22 fight, when they heard the two gunshots and

1 saw the suspect firing a gun.

2 MEMBER RODRIGUEZ: Okay, so, I  
3 used to work in nightclubs a long time, in a  
4 band. So, I've seen things happen inside, and  
5 then people finish it outside. Sometimes they  
6 finish it inside.

7 But in this case, somebody went to  
8 the car to get a gun, from what I hear. I  
9 don't know how accurate that is, and then all  
10 the sudden, he's ready and a bunch of people  
11 are rushing. So, he was ready for this, isn't  
12 that right?

13 LIEUTENANT PULLIAN: Well, our  
14 information is that there doesn't appear that  
15 anybody was actually rushing him.

16 MEMBER RODRIGUEZ: Okay.

17 LIEUTENANT PULLIAN: Typically,  
18 when we interview defendants they will give a  
19 version of events that is most conducive to  
20 justifying their behavior.

21 MEMBER RODRIGUEZ: Okay.

22 LIEUTENANT PULLIAN: They indicate

1 self-defense.

2 MEMBER RODRIGUEZ: Right,  
3 obviously, what I'd like to know is, you know,  
4 what responsibilities the club had here, if  
5 they could have done anything.

6 Sometimes, things happen outside  
7 and the club has nothing to do with it, you  
8 know. Altercations happen.

9 But I just want to see if there is  
10 any connection between the people that rushed  
11 this person, there was an altercation in the  
12 club, and then as a result, somebody went to  
13 get a gun and tried to take care of business  
14 outside.

15 But so, from what I hear from Mr.  
16 Briggs, this was a coincidence, is that right?

17 MR. BRIGGS: Coincidence, as in  
18 the two gentlemen getting outside?

19 MEMBER RODRIGUEZ: Yes, the  
20 gunshots and the people rushing each other.  
21 There is no -- you don't see any connection  
22 between what happened in the club?



1 MR. BRIGGS: Slight connection.

2 I'm not sure. I can't really say.

3 I didn't see, you know, any  
4 altercations inside the club, and the one that  
5 I did, you know, witness, the shooter was not  
6 one of those guys.

7 MEMBER RODRIGUEZ: Okay, well,  
8 let's talk about the slight connection. What  
9 do you mean by slight connection?

10 MR. BRIGGS: Well, I mean, it's  
11 possible, maybe they could have seen each  
12 other in the club. Outside of that, I'm not  
13 sure.

14 MEMBER RODRIGUEZ: All right, so,  
15 the people that were shot, you're familiar  
16 with them, right? Are they regular customers?

17 MR. BRIGGS: No.

18 MEMBER RODRIGUEZ: No? They're  
19 new? Okay, sir, thank you. Thank you.

20 CHAIR MILLER: Mr. Brooks?

21 MEMBER BROOKS: Yes, just one  
22 follow up question I have, and either one of

1     you can answer this, Mr. England, Mr. Morales,  
2     Ms. Jones or Mr. Briggs.

3                 This happened in July, all right,  
4     this event, the 26th of July, I believe.

5                 Since that time, would you have  
6     done anything different or has anything  
7     changed, as a result of that?

8                 MR. BRIGGS: Absolutely.

9                 MEMBER BROOKS: Any  
10    recommendations to us, as to how you improved  
11    the overall management of the club, as a  
12    result of all of this?

13                MR. BRIGGS: Well, for one, we do  
14    have security that does monitor the parking  
15    lot. We are pretty much, just on high alert  
16    now, ever since that happened, you know, as  
17    far as like that, that party, that DJ, he  
18    hasn't been back to our club since.

19                MEMBER BROOKS: Okay, so, two  
20    things, the DJ no longer is employed there, or  
21    comes there to spin records, and you have  
22    someone monitoring the parking area.

1 MR. BRIGGS: Yes.

2 MEMBER BROOKS: Okay, and is that  
3 basically it?

4 MS. ENGLAND: And myself, from  
5 time to time, I go up on the roof, and I'll  
6 look, if I see anybody just sitting in their  
7 car too long, "Can somebody check that car to  
8 make sure," you know, make sure they're not  
9 sitting in their car drinking, if I see  
10 someone parked too long, I go, "Hey, that's  
11 been parked way too long down. Someone go  
12 check that out."

13 So, I spent most of the time  
14 actually in the office now, looking at the  
15 cars, going out onto the roof, making sure  
16 that the parking lot -- out of their view  
17 maybe right away, but I pay attention to it.

18 MEMBER BROOKS: Okay, now, you  
19 said the parking lot. Is this your parking  
20 lot?

21 MR. BRIGGS: No, it's the street.

22 MS. ENGLAND: No, it's just on the

1 street parking.

2 MEMBER BROOKS: Okay, so --

3 MS. ENGLAND: In the market,  
4 parking lot.

5 MEMBER BROOKS: Yes, right, right.  
6 So, you see people parked in the lot or on the  
7 street. You then have someone go check them  
8 out, is that what you're saying?

9 MS. ENGLAND: Yes.

10 MEMBER BROOKS: Really?

11 MS. ENGLAND: Yes, absolutely.

12 MR. BRIGGS: If it looks something  
13 worth going to check out for, you know.

14 MEMBER BROOKS: Okay.

15 MR. BRIGGS: Someone sits in the  
16 car too long.

17 MEMBER BROOKS: Right, right.

18 MR. BRIGGS: You know.

19 MEMBER BROOKS: All right, good.

20 All right, thank you. Thank you, Madam Chair.

21 CHAIR MILLER: Okay, Mr. Short?

22 MR. SHORT: Mr. Briggs, along the

1 lines of parking and security, do you -- on  
2 the exterior, have you ever employed or has  
3 the club ever employed MPD to help you or  
4 assist you?

5 MR. BRIGGS: We're looking at  
6 employing MPD now.

7 MR. SHORT: Excuse me?

8 MR. BRIGGS: We're looking at  
9 employing -- I mean, do we have an  
10 application?

11 MS. ENGLAND: We contacted the  
12 commander. He's reported it by --

13 MEMBER SILVERSTEIN: Please speak  
14 up a little louder.

15 MS. ENGLAND: We've contacted  
16 Commander Deidre Porter, in reference to  
17 employing them officially. We do have, you  
18 know, officers that are familiar with us.

19 So, occasionally, they'll come by  
20 from time to time or you know, make sure that  
21 -- especially if they know we're about to let  
22 out, they stay out there, kind of help us thin

1 the crowd.

2 MR. SHORT: Are you familiar with  
3 reimburse-able police details?

4 MS. ENGLAND: Well, that's what we  
5 actually contacted Commander Porter about.

6 MR. SHORT: But you haven't gotten  
7 once since July, when you had the shooting out  
8 front?

9 MS. ENGLAND: Not yet, because I  
10 was told that we had to use them -- well, I  
11 was under the impression from the agreement,  
12 that we had to use them with like, live  
13 entertainment, like a band or -- what do they  
14 call it, or like a performer.

15 MR. SHORT: So, do you think if  
16 you'd had an MPD detail that night, the  
17 shooting might not have occurred?

18 MS. ENGLAND: They were actually  
19 outside.

20 MR. SHORT: I'm not talking about  
21 outside. If you had a detail, you know, the  
22 detail at your front entrance, so somewhere

1 near your front entrance, that probably  
2 wouldn't have happened, if you'd have had that  
3 detail there, correct?

4 MS. ENGLAND: I'm not so sure. I  
5 can't really speak on that one.

6 I mean, I know that they were  
7 outside at one point. So, if they're also  
8 outside and the shooter is outside then -- I  
9 don't know if they were inside, the shooting  
10 would have happened outside.

11 MR. SHORT: Well, I'll just say  
12 this to you.

13 The testimony I've heard since  
14 I've been a Board Member here, when there is  
15 a reimbursable police detail out front of a  
16 business, whether it's a DJ or live  
17 entertainment, whatever, we don't have these  
18 kinds of incidents happen, and I, as a Board  
19 Member, just my own -- my one vote would be  
20 that if you have a settlement agreement  
21 already -- do you have a settlement agreement?

22 MS. ENGLAND: Yes.

1                   MR. SHORT: Does it include  
2 anything about patrons coming and going in and  
3 out of the club, security-wise?

4                   MS. ENGLAND: As far as?

5                   MR. SHORT: Police, the police  
6 protection?

7                   MR. SHORT: As far as like  
8 searching them?

9                   MR. SHORT: No, no. I'll leave  
10 that alone. We're talking about the  
11 reimbursable detail. So, you have that on  
12 your radar, correct?

13                   MS. ENGLAND: Right, yes.

14                   MR. SHORT: All right, now, let me  
15 ask you this.

16                   Also, do you have valet parking at  
17 all?

18                   MS. ENGLAND: We recently started  
19 to offer that now.

20                   MR. SHORT: Just recently?

21                   MS. ENGLAND: Yes.

22                   MR. SHORT: It wasn't occurring



1       when you had this incident in July?

2                   MS. ENGLAND:   No.

3                   MR. SHORT:   Is that anywhere in  
4       your settlement agreement?

5                   MS. ENGLAND:   Yes, I became aware  
6       of that shortly after.

7                   MR. SHORT:   So, you had that in  
8       the agreement, but you didn't have it that  
9       night?

10                  MS. ENGLAND:   I became aware of  
11       that shortly after.   Since then, we've done  
12       our best to offer it to people.

13                  In regards to the settlement  
14       agreement, the way I interpreted it when I saw  
15       it, was that it's in order to keep people from  
16       parking on the main street.

17                  So, there's ample parking within  
18       the market itself.   So, I wasn't aware that  
19       night, that it was something that we had to  
20       have that particular night.

21                  MR. SHORT:   Well, if I could make  
22       a suggestion, and this is a friendly

1 suggestion, I hope, you really read that  
2 agreement and stick very closely to it, and  
3 that you seriously consider, even when you  
4 leave here today, trying to get that  
5 reimbursable detail there in the front of your  
6 building, because as we know, sometimes  
7 trouble kind of escalates.

8                   Trouble-makers like to go where  
9 the trouble is, and somebody might want to  
10 duplicate what this suspect did, which is bad  
11 for Washington, D.C., bad for your business  
12 and bad for the young people that come to your  
13 club to enjoy themselves.

14                   MS. ENGLAND: Okay, yes, sir.

15                   MR. SHORT: Okay, so, pretty much,  
16 I'm going to mark down there that you're going  
17 to be checking on the reimbursable detail, and  
18 that anything dealing with the settlement  
19 agreement, you're going to stick pretty close  
20 to it.

21                   MS. ENGLAND: Yes, sir.

22                   MR. SHORT: Thank you, Madam

1 Chair. That's all I have.

2 CHAIR MILLER: Okay, others?

3 (No audible response)

4 CHAIR MILLER: I wanted to ask  
5 you, what's your position with the lounge?

6 MS. ENGLAND: Well, I'm closely  
7 related to Ms. Jones. So, she kind of brought  
8 me onboard to help her manage some of these,  
9 and get everything organized, especially, you  
10 know, technical-wise, with social media and  
11 just keeping the records and things together.

12 CHAIR MILLER: And are you there  
13 every night?

14 MS. ENGLAND: Just about.

15 CHAIR MILLER: Okay, and you were  
16 there that night? You heard the shots?

17 MS. ENGLAND: Yes.

18 CHAIR MILLER: Okay, so, I mean,  
19 you know, from our point of view, you know,  
20 we're very concerned about this, right?

21 But I would think from your point  
22 of view, you'd be even more concerned, right?

1 MS. ENGLAND: Yes, ma'am.

2 CHAIR MILLER: If not scared or  
3 whatever. So, you have a very vested interest  
4 in making it safer, and I think it's good,  
5 what you said about you're being more vigilant  
6 and looking out.

7 So, I just want to make clear with  
8 the police, did I understand that, you know,  
9 there are different relationships with the  
10 police. There's the reimbursable detail, that  
11 Mr. Short was talking about, and then there's  
12 the police officers on your beat or whatever.

13 So, you know who they are and you  
14 have a good communication with them?

15 MS. ENGLAND: Yes, we do.

16 CHAIR MILLER: Okay, all right.  
17 Mr. Morales, what's your position?

18 MR. MORALES: I'm the ABC manager.

19 CHAIR MILLER: You're the ABC  
20 manager, okay. All right, any other  
21 questions?

22 Any other comments from you all,

1 with respect to what Layla maybe should be  
2 doing, to make it safer for themselves?

3 (No audible response)

4 CHAIR MILLER: No, okay. Okay,  
5 anything else? I'm about to wrap this up. Do  
6 you all have anything else?

7 MR. SHORT: No.

8 CHAIR MILLER: Okay, well, we  
9 really appreciate --

10 MEMBER RODRIGUEZ: Madam Chair?

11 CHAIR MILLER: Yes.

12 MEMBER RODRIGUEZ: I'm a little, I  
13 don't know, I'm worried for you all.

14 Here, somebody goes out to get a  
15 gun and shoots at a bunch of people, and you  
16 don't have that much information.

17 It must be a way to -- I mean, you  
18 say that the shooter, you don't know who he  
19 was. It was his first time there.

20 The people that rushed him,  
21 nobody, you know, knows everybody.

22 I just don't seem to get a handle

1 on this thing, and I'm concerned about you  
2 all, because you're the first on line. You're  
3 first responders. You're first responders.

4 Now, we're here to hear what  
5 happened. We're concerned about you all.  
6 We're concerned about your business, but also,  
7 you know, people who work in this industry,  
8 and it's no laughing matter. Three people got  
9 shot, and it could have been worse.

10 They did not die, but some of you  
11 all could have got shot.

12 So, that it appears to me, and I'm  
13 not lecturing, but I've worked at clubs  
14 before, much younger, but you know, when  
15 there's a shooting, that means somebody has  
16 got a weapon and obviously, I was glad to hear  
17 that Mr. Briggs says that you do want the  
18 people and you pat them down, right?

19 MR. BRIGGS: Absolutely.

20 MEMBER RODRIGUEZ: Everyone,  
21 right?

22 MR. BRIGGS: Yes.

1                   MEMBER RODRIGUEZ: So, you're sure  
2 the weapon did not come from the club.

3                   MR. BRIGGS: Positive.

4                   MEMBER RODRIGUEZ: You're  
5 absolutely sure. You've got to make sure of  
6 that.

7                   Okay, so, somebody got into an --  
8 and then you say that the two people, the two  
9 cousins, distant cousins, right, they didn't  
10 -- they just had a little argument and that's  
11 it, right?

12                   It had nothing to do with the  
13 shooting outside, you're sure of that Mr.  
14 Briggs?

15                   MR. BRIGGS: From my perspective,  
16 no, I did not.

17                   MEMBER RODRIGUEZ: Okay, so, I  
18 just can't square away where there was an  
19 altercation inside, two ladies, right, then  
20 suddenly, out of nowhere, somebody goes and  
21 gets a gun and shoots, supposedly -- the  
22 Lieutenant says that obviously, the testimony

1 is a little iffy, I guess, right?

2 So, but I can't -- something I  
3 can't put my hands around. Is there something  
4 that's missing here, Ms. Jones? You're the  
5 owner, right?

6 Okay, what's going on here? Why  
7 doesn't anybody know really, much about why  
8 this shooting took place?

9 MS. JONES: We're on the inside,  
10 okay? We're conducting our business at the  
11 end of the night, getting the patrons out,  
12 getting the staff -- getting prepared for  
13 another event.

14 What went on outside, okay, even  
15 not saying that because I'm a business owner,  
16 but it has happened in my neighborhood too,  
17 okay, whereas teenagers gather. We just had  
18 it a couple months ago.

19 You know, teenager went in his  
20 car, he got to shooting up in the air. I  
21 jumped down to the floor in my own home, you  
22 know, but like I said, we try to do out best.



1                   MEMBER RODRIGUEZ: Yes, ma'am.

2                   MS. JONES: You know, especially  
3 people coming in the establishment. Once they  
4 go outside, you know, they have something in  
5 their car, I wish we could have some kind of  
6 machine that could detect --

7                   MEMBER RODRIGUEZ: Right, I  
8 understand.

9                   MS. JONES: -- you have a weapon,  
10 you have a weapon, you cannot come in here,  
11 you know.

12                  MEMBER RODRIGUEZ: Right.

13                  MS. JONES: But like I said, we do  
14 our best to make sure that nothing comes up in  
15 our establishment.

16                  MEMBER RODRIGUEZ: Right. Now,  
17 the difference is obviously, when it's going  
18 on in the neighborhood, but the only  
19 difference is that now, you're licensed and  
20 you're running a business, and you have a  
21 responsibility.

22                  I'm not lecturing, but I'm saying,

1     that you have a responsibility to make sure  
2     that everyone that goes in that club, that  
3     there's sufficient security to protect them  
4     and your employees.

5                 So, you've got a big  
6     responsibility on your shoulders, obviously,  
7     and you have 200 people in there, and three  
8     people were shot outside of your  
9     establishment.

10                So, my gut feeling is, you know,  
11     we need to take a real close look at your  
12     security arrangement, need to take a look at  
13     -- if you got 200 people in the club,  
14     partying, drinking, whatever, you know,  
15     they're going to go outside.

16                So, obviously, your perimeter  
17     outside has to have better security, Mr.  
18     Briggs, better security, because stuff is  
19     going on out there, that may reflect back on  
20     what's going on inside, or could be connected.

21                So, it seems to me that the  
22     security has to be looked at interiorly and

1 exteriorly. That's the way I read it, for  
2 your own protection and as well as your  
3 clients. Thank you.

4 CHAIR MILLER: Okay, anything  
5 else? Anything else anybody want to clear up?

6 All right, we really appreciate  
7 you coming down for this hearing, and you  
8 know, we've heard that you have -- you're  
9 working on making your place even more safe  
10 and it sounds like you're going in the right  
11 direction.

12 So, thank you very much. As I  
13 said at the beginning of this hearing, I don't  
14 think we're planning on taking any specific  
15 action now. We wanted to get the facts from  
16 you.

17 Okay, so, thank you very much.  
18 Have a good night.

19 MEMBER RODRIGUEZ: Good luck.

20 CHAIR MILLER: All right, I just  
21 want to address a couple of other items on the  
22 calendar.

Fact Finding Hearing for Case No.  
14-251-00227 Macombo Lounge, 5335 Georgia  
Avenue, Northwest, License No. 771 in ANC 4D,  
that hearing has been continued to October 29,  
2014 at 9:30 a.m.

Case No. 13-PRO-00173 and 14-PRO-00057 Club Timehri, located at 2439 18th Street Northwest, License No. 77730 in ANC 1C, that hearing has been continued to November 19, 2014 at 4:30 p.m.

So, that concludes our hearings,  
and we're going to recess and return in a  
little while to do our agendas.

(Whereupon, the above-entitled  
matter went off the record at 3:32 p.m.)

<p><b>A</b></p> <p><b>a.m</b> 8:6 10:4 68:8</p> <p><b>ABC</b> 27:7,10,14 60:18,19</p> <p><b>ability</b> 24:12,20</p> <p><b>able</b> 6:20 9:17 18:12 45:16</p> <p><b>above-entitled</b> 68:17</p> <p><b>ABRA</b> 3:22 8:6 31:15 32:15 36:13</p> <p><b>ABRA's</b> 8:5</p> <p><b>absolutely</b> 42:13 44:17 45:4 50:8 52:11 62:19 63:5</p> <p><b>accepted</b> 68:3</p> <p><b>account</b> 46:8,17</p> <p><b>accounts</b> 46:7</p> <p><b>accurate</b> 47:9</p> <p><b>action</b> 4:14,20 67:15</p> <p><b>add</b> 5:21 31:5</p> <p><b>address</b> 33:13 67:21</p> <p><b>admit</b> 42:11</p> <p><b>afraid</b> 13:2</p> <p><b>afternoon</b> 3:4</p> <p><b>agendas</b> 68:16</p> <p><b>ago</b> 64:18</p> <p><b>agreement</b> 54:11 55:20,21 57:4,8 57:14 58:2,19</p> <p><b>ahead</b> 17:5</p> <p><b>air</b> 12:18,19 13:17 64:20</p> <p><b>Alberti</b> 2:5 17:5 19:3,4,5,10 20:1 20:14,22 21:11,20 22:5,9,13,21 23:3 23:7,13 24:7,17 24:21 25:3,6 32:5 32:13,17,22 39:1 39:2,5,20 40:5,8 40:12,22 41:5,9 41:17 42:1,4,17 43:2,5,10,18,22 44:18</p>	<p><b>Alcoholic</b> 1:3,17,18</p> <p><b>alert</b> 50:15</p> <p><b>alertness</b> 44:4</p> <p><b>altercation</b> 6:7 8:19 9:4,7 12:6 15:8 16:4 17:15 20:11 21:10 25:11 35:10 48:11 63:19</p> <p><b>altercations</b> 19:22 48:8 49:4</p> <p><b>ample</b> 57:17</p> <p><b>ANC</b> 3:8 68:6,11</p> <p><b>ANC5B</b> 1:10</p> <p><b>angles</b> 20:15 23:11</p> <p><b>answer</b> 39:21 50:1</p> <p><b>anybody</b> 11:3 29:14 31:4 33:11 47:15 51:6 64:7 67:5</p> <p><b>apparent</b> 36:1</p> <p><b>appear</b> 47:14</p> <p><b>appeared</b> 12:7 26:3</p> <p><b>appearing</b> 6:5</p> <p><b>appears</b> 62:12</p> <p><b>application</b> 53:10</p> <p><b>appreciate</b> 5:9 61:9 67:6</p> <p><b>appreciated</b> 39:15</p> <p><b>apprehend</b> 6:22</p> <p><b>approximately</b> 6:1 8:6 10:3 30:13 39:18</p> <p><b>area</b> 24:4 26:12 29:18 50:22</p> <p><b>areas</b> 24:1,10 33:7</p> <p><b>arguing</b> 12:12</p> <p><b>argument</b> 63:10</p> <p><b>arrangement</b> 66:12</p> <p><b>arrested</b> 11:3 14:18 16:13 30:3,3,5,5 30:13,19</p> <p><b>asked</b> 28:13 34:16 34:22 35:8,12</p> <p><b>asking</b> 41:10 44:15</p> <p><b>assault</b> 14:21 32:2 32:3</p> <p><b>assaulted</b> 17:10,13</p>	<p>17:17 34:19</p> <p><b>assist</b> 53:4</p> <p><b>assuming</b> 22:1</p> <p><b>assured</b> 36:5</p> <p><b>ate</b> 39:12</p> <p><b>attempted</b> 12:16 13:14,18</p> <p><b>attention</b> 22:2 51:17</p> <p><b>Attorney</b> 4:19</p> <p><b>attract</b> 37:19</p> <p><b>audible</b> 5:2 28:20 59:3 61:3</p> <p><b>audio</b> 26:4</p> <p><b>August</b> 30:12</p> <p><b>autos</b> 33:7</p> <p><b>Avenue</b> 68:6</p> <p><b>aware</b> 38:17 57:5 57:10,18</p> <p><b>B</b></p> <p><b>B-R-I-G-G-S</b> 34:8</p> <p><b>back</b> 16:17,17 21:8 21:14 22:14 23:4 25:12 26:14 35:1 50:18 66:19</p> <p><b>bad</b> 58:10,11,12</p> <p><b>band</b> 38:2 47:4 54:13</p> <p><b>based</b> 4:17</p> <p><b>basically</b> 8:16,22 10:14 19:21 27:20 28:5 51:3</p> <p><b>bathrooms</b> 20:3</p> <p><b>beat</b> 60:12</p> <p><b>began</b> 9:13 12:11</p> <p><b>beginning</b> 67:13</p> <p><b>behaved</b> 41:14</p> <p><b>behavior</b> 47:20</p> <p><b>believe</b> 4:9 6:3,8,11 6:19 14:20 17:12 25:18,19,20 27:3 27:13 29:4,7,9,14 30:11,12 31:1 33:3 50:4</p> <p><b>believed</b> 8:17 12:21</p> <p><b>bench</b> 22:8</p>	<p><b>beneficial</b> 23:19</p> <p><b>Bernat</b> 8:8 14:12</p> <p><b>best</b> 23:14 41:13 42:14 43:19 57:12 64:22 65:14</p> <p><b>better</b> 66:17,18</p> <p><b>Beverage</b> 1:3,17,18</p> <p><b>beverages</b> 43:17</p> <p><b>beyond</b> 25:16</p> <p><b>big</b> 22:19 36:3 38:15 42:7 66:5</p> <p><b>block</b> 29:20</p> <p><b>Board</b> 1:3,18 7:13 38:22 44:2 55:14 55:18</p> <p><b>Brashears</b> 2:14 3:21,22 5:4,20 8:4 10:1,7,10,13,22 19:6,9,20 20:2,19 21:5,19 22:4,6,11 22:15 23:2,5,12 23:21 24:9,19 25:1,5,10,13,17 26:2,21 27:2,9,13 27:19 28:11,15 31:14,17,22 32:8 32:11,15,20</p> <p><b>brief</b> 22:7 26:10</p> <p><b>briefly</b> 27:10,15</p> <p><b>Briggs</b> 2:13 33:19 33:22 34:1,5,5,6,7 34:8,10 36:21 37:3,7,10,14,22 38:7,10,13,20 39:21 40:2,6,11 40:19 41:3,6,15 41:21 42:2,13,18 43:4,7,11,19 44:17,20,21,22 45:2,4,7,12,19 48:16,17 49:1,10 49:17 50:2,8,13 51:1,21 52:12,15 52:18,22 53:5,8 62:17,19,22 63:3 63:14,15 66:18</p> <p><b>bring</b> 22:2 41:11</p>	<p><b>broad</b> 20:17</p> <p><b>Brooks</b> 2:4 26:18 26:19,20 27:6,12 27:17 28:8,12,16 49:20,21 50:9,19 51:2,18 52:2,5,10 52:14,17,19</p> <p><b>brought</b> 12:4 23:8 59:7</p> <p><b>building</b> 1:19 19:16 25:4 42:16 43:21 58:6</p> <p><b>bunch</b> 47:10 61:15</p> <p><b>business</b> 40:18 48:13 55:16 58:11 62:6 64:10,15 65:20</p> <p><b>C</b></p> <p><b>calendar</b> 67:22</p> <p><b>call</b> 3:5 4:6 6:1 7:6 8:5 33:20 34:12 54:14</p> <p><b>called</b> 7:14 36:13</p> <p><b>camera</b> 9:11 19:19 19:21 23:11 24:3 24:7,14 26:9,13</p> <p><b>cameras</b> 20:7</p> <p><b>cancelled</b> 68:2</p> <p><b>canvas</b> 24:12</p> <p><b>capture</b> 24:15</p> <p><b>captured</b> 11:1</p> <p><b>car</b> 12:9 13:19 16:15 47:8 51:7,7 51:9 52:16 64:20 65:5</p> <p><b>care</b> 48:13</p> <p><b>carry</b> 43:16</p> <p><b>cars</b> 42:14,21 51:15</p> <p><b>case</b> 1:11 3:6,6 11:6 47:7 68:1,4,9</p> <p><b>cases</b> 32:21</p> <p><b>cash</b> 24:8</p> <p><b>certain</b> 37:19</p> <p><b>Chair</b> 3:3,13,15 4:1 5:3,14,17 7:1,7,12 7:19,22 8:3 9:20</p>
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10:5,8,12,20 11:2 11:5,8,15,18 12:3 13:1 14:1,4 15:19 15:21 16:7,10 17:4,7 19:2,4 25:8 26:17,19,21 28:17 28:18,21 29:13,22 31:3,4 33:11,21 34:2,6,9 36:19 37:1,5,8,12,17 38:5,8,12,19,22 44:19 45:21 46:3 49:20 52:20,21 59:1,2,4,12,15,18 60:2,16,19 61:4,8 61:10,11 67:4,20 <b>Chairperson</b> 1:20 2:3 <b>chance</b> 26:22 <b>changed</b> 50:7 <b>chaotic</b> 10:9 <b>charge</b> 14:18 27:7 <b>charged</b> 14:21 <b>charging</b> 12:21 13:20,21 16:2 45:15 <b>check</b> 7:21 18:20 25:18 51:7,12 52:7,13 <b>checked</b> 25:22 <b>checking</b> 33:17 58:17 <b>city</b> 14:8 <b>claim</b> 13:10 <b>claimed</b> 13:6,8 <b>claims</b> 13:4 18:8 <b>clarify</b> 45:22 46:2 <b>clear</b> 34:13 60:7 67:5 <b>client</b> 30:21 <b>clients</b> 67:3 <b>close</b> 9:21 42:10 45:10 58:19 66:11 <b>closed</b> 10:2 11:7 <b>closely</b> 58:2 59:6 <b>closing</b> 9:22 12:9 25:16,20	<b>club</b> 6:8,17,17 8:2 9:5 10:2,6 12:2,4 12:7,8,11,13 15:2 15:7 16:18,18 17:1,15 23:15 24:10 25:15 26:14 30:20 31:10,10,11 33:9 36:18 37:4 38:16 40:6 42:7 43:9,17 45:18 48:4,7,12,22 49:4 49:12 50:11,18 53:3 56:3 58:13 63:2 66:2,13 68:10 <b>clubs</b> 62:13 <b>coincidence</b> 48:16 48:17 <b>COLUMBIA</b> 1:1 <b>come</b> 7:4 30:21 35:1 37:3 53:19 58:12 63:2 65:10 <b>comes</b> 50:21 65:14 <b>coming</b> 5:9 10:16 10:18 19:12 22:22 34:20 36:20 39:6 56:2 65:3 67:7 <b>commander</b> 8:9 53:12,16 54:5 <b>commend</b> 39:9 <b>comments</b> 60:22 <b>communication</b> 60:14 <b>company</b> 35:5 <b>concern</b> 42:6 <b>concerned</b> 59:20,22 62:1,5,6 <b>concerns</b> 39:7 <b>concludes</b> 68:14 <b>conducive</b> 47:19 <b>conduct</b> 32:1 <b>conducting</b> 64:10 <b>connected</b> 66:20 <b>connection</b> 11:3 48:10,21 49:1,8,9 <b>consider</b> 58:3 <b>contact</b> 8:7	<b>contacted</b> 53:11,15 54:5 <b>continue</b> 21:12 <b>continued</b> 68:7,12 <b>contract</b> 40:16 <b>control</b> 1:3,17,18 41:18 <b>cooperation</b> 39:9 39:14 <b>cooperative</b> 28:10 29:7 36:15 <b>correct</b> 7:11 16:14 32:6,18 55:3 56:12 <b>correctly</b> 15:22 <b>couple</b> 21:6 24:1 33:6 64:18 67:21 <b>course</b> 8:14 9:1 27:22 <b>cousins</b> 36:5 63:9,9 <b>cover</b> 9:14 <b>covered</b> 20:3,4 23:15,16,18,19,20 23:20,22 24:2,10 24:11 <b>crime</b> 33:4 <b>crowd</b> 20:16 21:13 22:19 37:20,20 38:4 41:11 42:10 43:20 54:1 <b>CT</b> 1:9 <b>customers</b> 49:16	47:18 <b>definitive</b> 8:11 <b>Deidre</b> 53:16 <b>Department</b> 3:20 <b>detail</b> 6:18 54:16 54:21,22 55:3,15 56:11 58:5,17 60:10 <b>details</b> 54:3 <b>detect</b> 65:6 <b>detective</b> 29:9 <b>detective's</b> 11:14 <b>detectives</b> 12:1 46:6,15 <b>determine</b> 45:16 <b>determined</b> 30:19 <b>die</b> 62:10 <b>difference</b> 65:17,19 <b>different</b> 37:20 46:8,8,16 50:6 60:9 <b>direction</b> 67:11 <b>disagreement</b> 28:3 35:19 <b>discrepancy</b> 34:13 <b>discussed</b> 42:5 <b>discussing</b> 33:14 <b>disorderly</b> 32:1 <b>distant</b> 63:9 <b>District</b> 1:1 3:20 43:4 <b>DJ</b> 37:15 38:2 40:13,21 41:7,21 50:17,20 55:16 <b>DJ's</b> 41:11,16 <b>doing</b> 41:19 61:2 <b>DONALD</b> 2:4 <b>door</b> 20:17 21:3,7 26:1 <b>downstairs</b> 34:21 <b>dress</b> 9:6 20:12 21:7,17 34:14 <b>drink</b> 28:6 <b>drinking</b> 51:9 66:14 <b>duck</b> 9:13 <b>due</b> 68:2	<b>duplicate</b> 58:10 <hr/> <b>E</b> <hr/> <b>earlier</b> 14:13 28:2 <b>Edward</b> 8:8 <b>either</b> 31:9 49:22 <b>employed</b> 40:14,15 50:20 53:2,3 <b>employees</b> 66:4 <b>employing</b> 53:6,9 53:17 <b>employment</b> 40:17 <b>ended</b> 6:5 <b>England</b> 2:18 3:12 3:12,14,14 50:1 51:4,22 52:3,9,11 53:11,15 54:4,9 54:18 55:4,22 56:4,13,18,21 57:2,5,10 58:14 58:21 59:6,14,17 60:1,15 <b>enjoy</b> 58:13 <b>ensued</b> 9:9 <b>enters</b> 21:17 <b>entertainer</b> 37:19 38:1 <b>entertainment</b> 54:13 55:17 <b>entourage</b> 41:2,13 41:22 42:3 <b>entrance</b> 10:17 19:14,19 20:9 22:18 26:10 54:22 55:1 <b>entry</b> 26:8 <b>equipment</b> 42:3 <b>Eric</b> 2:13 33:22 34:5 <b>escalates</b> 58:7 <b>escalating</b> 13:16 <b>escorted</b> 6:9 22:3 22:12 28:1 <b>escorting</b> 19:17 <b>especially</b> 36:18 53:21 59:9 65:2 <b>establishment</b> 4:9
--	---	--	---	---

7:4 8:20 10:15 19:13 21:18 31:18 32:1 33:15 44:7 65:3,15 66:9 <b>establishment's</b> 24:2 <b>evening</b> 5:6 27:5,16 27:22 39:17 <b>event</b> 6:15 35:6 37:9,10,13 40:4 40:20,21 50:4 64:13 <b>events</b> 47:19 <b>everybody</b> 3:4 4:5 33:1 61:21 <b>evidence</b> 17:12 <b>evidentiary</b> 4:12 <b>exception</b> 27:22 <b>Excuse</b> 53:7 <b>exited</b> 21:8 <b>exiting</b> 19:13 <b>exterior</b> 25:4 53:2 <b>exteriorly</b> 67:1	<b>fight</b> 6:16 7:9 36:2 38:15 46:9,21,22 <b>fighting</b> 29:2,15 <b>find</b> 4:10 <b>Finding</b> 1:8 3:9 4:7 68:4 <b>finish</b> 47:5,6 <b>fire</b> 6:13 <b>firearm</b> 18:15 <b>fired</b> 12:20 13:17 13:20 <b>firing</b> 12:17 46:11 47:1 <b>first</b> 5:7,21 10:14 26:7 33:13 39:7 61:19 62:2,3,3 <b>five</b> 31:19 32:9,10 32:13,15,20 33:1 <b>fled</b> 14:3 <b>floor</b> 10:14 20:9 37:16 64:21 <b>flowing</b> 20:21 <b>focused</b> 19:19 20:7 <b>focusing</b> 20:15 <b>folks</b> 29:10 <b>follow</b> 6:20 49:22 <b>following</b> 27:4 <b>footage</b> 19:21 29:12 <b>forceful</b> 42:19 <b>forward</b> 44:16 <b>found</b> 6:3 24:12 <b>four</b> 25:20 <b>Fraser</b> 8:16 <b>frequent</b> 30:20 <b>friendly</b> 57:22 <b>friends</b> 12:10,15 13:13,14,15,19 15:7 16:22 41:12 <b>front</b> 10:17 16:18 26:1 36:8 42:15 43:20 54:8,22 55:1,15 58:5 <b>fully</b> 36:14 <b>function</b> 14:14 <b>further</b> 17:3 26:16 28:7	<b>G</b> <b>gained</b> 6:6 <b>gather</b> 64:17 <b>general</b> 4:19 31:9 <b>generally</b> 33:17 <b>gentleman</b> 14:17 46:10 <b>gentlemen</b> 35:18 48:18 <b>Georgia</b> 68:5 <b>getting</b> 36:2 48:18 64:11,12,12 <b>give</b> 5:5 11:13 29:8 34:3 44:1 47:18 <b>glad</b> 62:16 <b>go</b> 5:7 12:9 16:17 17:5 26:8 31:6 33:12 42:21 43:14 44:15 51:5,10,11 52:7 58:8 65:4 66:15 <b>goes</b> 17:15 61:14 63:20 66:2 <b>going</b> 3:5 4:13 20:13 21:12 24:15 32:5 40:20 44:1,5 51:15 52:13 56:2 58:16,16,19 64:6 65:17 66:15,19,20 67:10 68:15 <b>good</b> 3:3 5:17 19:10 52:19 60:4,14 67:18,19 <b>gotten</b> 35:11 54:6 <b>Great</b> 19:10 <b>group</b> 12:12,15 13:12,15 18:5,9 <b>guard</b> 21:22 44:11 <b>guards</b> 34:20 40:9 <b>guess</b> 33:19 64:1 <b>gun</b> 6:4,13 12:4 16:15,16,19 17:9 17:16 18:6 47:1,8 48:13 61:15 63:21 <b>gunman</b> 17:13 <b>guns</b> 36:17,20 <b>gunshots</b> 46:22	48:20 <b>gut</b> 66:10 <b>guy</b> 17:9 45:15,17 45:20 <b>guys</b> 35:9 36:9,10 45:20 49:6	<b>H</b> <b>hallway</b> 26:11 <b>hand</b> 38:20 <b>handgun</b> 12:10 46:10 <b>handle</b> 61:22 <b>hands</b> 36:7 64:3 <b>hanging</b> 21:2 43:20 <b>happen</b> 7:4 38:16 47:4 48:6,8 55:18 <b>happened</b> 5:6 8:12 8:19 9:4 22:1 26:1 33:16 48:22 50:3,16 55:2,10 62:5 64:16 <b>happening</b> 44:7 <b>head</b> 27:11,14 28:3 34:1,2 <b>heading</b> 45:8 <b>hear</b> 4:15 39:12 46:12 47:8 48:15 62:4,16 <b>heard</b> 4:18 45:2,6,9 46:22 55:13 59:16 67:8 <b>hearing</b> 1:9,19 3:9 4:7,12 67:7,13 68:2,4,7,12 <b>hearings</b> 68:14 <b>HECTOR</b> 2:6 <b>help</b> 53:3,22 59:8 <b>helpful</b> 29:11 <b>HERMAN</b> 2:9 <b>Hey</b> 51:10 <b>high</b> 50:15 <b>hire</b> 44:11 <b>history</b> 15:14 31:18 32:14 <b>hit</b> 6:13 <b>home</b> 64:21	<b>I</b> <b>idea</b> 39:11 <b>identification</b> 30:10 <b>identify</b> 6:21 <b>iffy</b> 64:1 <b>image</b> 29:12 <b>impression</b> 54:11 <b>improved</b> 50:10 <b>incident</b> 4:7 9:3 20:8 34:11,15 44:3 57:1 <b>incidents</b> 4:15 32:14 55:18 <b>include</b> 56:1 <b>indicate</b> 15:5,6 18:17,20 47:22 <b>indicated</b> 46:6,8,15 46:19 <b>indiscriminately</b> 18:6 <b>individual</b> 16:13 25:10 <b>individuals</b> 12:12 13:19,22 29:1 38:9,10,14 <b>industry</b> 62:7 <b>information</b> 4:10 5:6 6:6 11:9 28:13 29:8,21 30:17,21 47:14 61:16 <b>inside</b> 6:8 8:12,19 12:6,13 15:7,12 15:13 16:4 17:15 20:12 21:6 31:10 36:17 38:16 47:4 47:6 49:4 55:9 63:19 64:9 66:20 <b>instances</b> 33:1
--	--	---	--	---	--

<b>interest</b> 60:3 <b>interested</b> 11:19,19 <b>interiorly</b> 66:22 <b>interject</b> 32:6 <b>interpreted</b> 57:14 <b>interview</b> 12:1 47:18 <b>interviewed</b> 15:5 28:9 46:15 <b>interviews</b> 46:5 <b>introductions</b> 3:10 <b>investigation</b> 5:21 6:21 8:15 9:2,16 30:6,18 <b>investigations</b> 32:16 <b>investigative</b> 31:18 32:14 <b>investigator</b> 2:14 3:21,22 5:20 8:4 10:1,7,10,13,22 19:5,9,20 20:2,19 21:5,19 22:4,6,11 22:15 23:2,5,12 23:21 24:9,19 25:1,5,9,13,17 26:2,21 27:2,9,13 27:19 28:11,15 31:14,17,22 32:8 32:11,15,20 39:10 <b>investigators</b> 15:6 35:10 <b>involved</b> 8:22 15:8 16:3 25:11 29:2,4 29:15,21 <b>issues</b> 28:7 33:14 33:18 <b>items</b> 32:10 67:21	<b>Judy</b> 2:18 3:12,14 <b>July</b> 30:11 32:4 50:3,4 54:7 57:1 <b>jumped</b> 64:21 <b>justifying</b> 47:20	<b>leaving</b> 10:6 <b>lecturing</b> 62:13 65:22 <b>left</b> 5:4 12:8 18:14 21:14 <b>let's</b> 21:11 49:8 <b>letting</b> 9:5 43:11 <b>level</b> 39:14 <b>License</b> 1:10 3:8 68:6,11 <b>licensed</b> 65:19 <b>licensee</b> 39:3 <b>Lieutenant</b> 2:15 3:18,18 5:5,12,15 5:22 7:5,10,16,20 8:1,8 11:2,4,6,12 11:16,22 12:5 13:4,7,11 14:2,6 14:11,12,20 15:4 15:11,16,20 16:5 16:9,20 17:8,11 17:18,22 18:8,11 18:19 19:1 28:21 29:3,17 30:1,4,9 30:22 33:2 45:21 46:1,4,13,14 47:13,17,22 63:22 <b>light</b> 29:1 <b>line</b> 62:2 <b>lines</b> 53:1 <b>little</b> 53:14 61:12 63:10 64:1 68:16 <b>live</b> 54:12 55:16 <b>located</b> 3:7 68:10 <b>location</b> 6:2 8:7 13:16 33:5 <b>loiter</b> 42:15 <b>loitered</b> 21:9 <b>loitering</b> 21:6 22:17 <b>long</b> 47:3 51:7,10 51:11 52:16 <b>longer</b> 50:20 <b>look</b> 8:1 20:16 51:6 66:11,12 <b>looked</b> 23:10,22 26:4 46:9 66:22 <b>looking</b> 4:19 19:6	19:22 46:9 51:14 53:5,8 60:6 <b>looks</b> 52:12 <b>lot</b> 6:14 8:18 9:13 42:7,22 43:2 50:15 51:16,19,20 52:4,6 <b>loud</b> 35:22 <b>louder</b> 53:14 <b>lounge</b> 1:8 3:7 59:5 68:5 <b>luck</b> 67:19	<b>Member</b> 2:4,5,6,7,8 2:9 7:14 13:6,9 16:12 17:2,5,8,14 17:20 18:3,10,16 18:22 19:3,5,10 20:1,14,22 21:11 21:20 22:5,9,13 22:21 23:3,7,13 24:7,17,21 25:3,6 25:9,14,21 26:15 26:18,20 27:6,12 27:17 28:8,12,16 31:8,16,20 32:5 32:13,17,22 33:10 39:2,5,20 40:5,8 40:12,22 41:5,9 41:17 42:1,4,17 43:2,5,10,18,22 44:2,18,20 45:1,5 45:11,14 46:1,12 47:2,16,21 48:2 48:19 49:7,14,18 49:21 50:9,19 51:2,18 52:2,5,10 52:14,17,19 53:13 55:14,19 61:10,12 62:20 63:1,4,17 65:1,7,12,16 67:19 <b>Members</b> 38:22 <b>mentioned</b> 14:12 <b>met</b> 1:18 <b>Metropolitan</b> 3:19 <b>Michael</b> 2:15 3:19 <b>MIKE</b> 2:7 <b>Miller</b> 1:21 2:3 3:3 3:13,15 4:1 5:3,14 5:17 7:1,7,12,19 7:22 8:3 9:20 10:5,8,12,20 11:2 11:5,8,15,18 12:3 13:1 14:1,4 15:21 16:7,10 17:4,7 19:2,4 25:8 26:17 26:19 28:18,21 29:13,22 31:4 33:11,21 34:2,6,9
<b>J</b> <b>JAMES</b> 2:8 <b>January</b> 33:3 <b>Jones</b> 2:9,16 3:17 3:17 39:4,4,5,6,18 40:1 50:2 59:7 64:4,9 65:2,9,13 <b>judge</b> 44:14	<b>K</b> <b>keep</b> 57:15 <b>keeping</b> 59:11 <b>kind</b> 22:17 33:18 37:12,19 41:16 44:4 53:22 58:7 59:7 65:5 <b>kinds</b> 55:18 <b>kitchen</b> 24:4 <b>knew</b> 18:21 28:14 38:8 45:10 <b>knocked</b> 9:8 22:7 <b>know</b> 4:14 5:11 18:12 20:17 23:16 23:17 29:17,18 31:1 33:14 35:8 36:14 38:3,5,6 40:15 41:7,7 42:6 42:6,18,20,20 43:8,9,9,16 44:12 44:13 47:9 48:3,3 48:8 49:3,5 50:16 51:8 52:13,18 53:18,20,21 54:21 55:6,9 58:6 59:10 59:19,19 60:8,13 61:13,18,21 62:7 62:14 64:7,19,22 65:2,4,11 66:10 66:14 67:8 <b>knows</b> 61:21	<b>M</b> <b>ma'am</b> 11:1,4 60:1 65:1 <b>machine</b> 65:6 <b>Macombo</b> 68:5 <b>Madam</b> 15:19 26:21 28:17 31:3 52:20 58:22 61:10 <b>main</b> 19:14 20:8,9 24:6,10 57:16 <b>making</b> 51:15 60:4 67:9 <b>male</b> 28:4 <b>males</b> 46:20 <b>manage</b> 59:8 <b>management</b> 50:11 <b>manager</b> 27:7,10 27:14 60:18,20 <b>manner</b> 10:18 <b>mark</b> 2:14 3:22 58:16 <b>market</b> 52:3 57:18 <b>match</b> 9:8 <b>matter</b> 1:7 4:20 62:8 68:18 <b>mean</b> 11:18 18:12 20:20 21:4 24:1 41:10,11 42:11 45:16 49:9,10 53:9 55:6 59:18 61:17 <b>means</b> 62:15 <b>media</b> 59:10 <b>MEETING</b> 1:5		



36:19 37:1,5,8,12 37:17 38:5,8,12 38:19,22 44:19 45:21 46:3 49:20 52:21 59:2,4,12 59:15,18 60:2,16 60:19 61:4,8,11 67:4,20 <b>mindful</b> 44:9,15 <b>minute</b> 11:13 19:16 22:2 <b>minutes</b> 21:22 <b>misleading</b> 32:7 <b>missing</b> 64:4 <b>mistaken</b> 35:4 <b>misunderstanding</b> 36:3 <b>moment</b> 21:13 <b>monitor</b> 42:9 50:14 <b>monitoring</b> 50:22 <b>months</b> 64:18 <b>Morales</b> 2:17 3:16 3:16 50:1 60:17 60:18 <b>Morse</b> 1:8 3:7 <b>Morton</b> 68:1 <b>move</b> 59:22 <b>MPD</b> 6:18 53:3,6 54:16 <b>music</b> 35:22	42:2 <b>new</b> 40:20,20 49:19 <b>nicely</b> 43:15 <b>NICK</b> 2:5 <b>night</b> 9:3 19:22 27:1,4,10 28:2 29:10 30:7,11 33:16 34:10 35:7 36:12,18 37:9,11 37:21 39:19 40:10 40:11,12 42:8 54:16 57:9,19,20 59:13,16 64:11 67:18 <b>nightclubs</b> 47:3 <b>Northeast</b> 3:8 <b>Northwest</b> 68:6,11 <b>note</b> 23:17 <b>notes</b> 11:14 15:4 <b>notified</b> 6:16 7:3,9 <b>November</b> 68:12	8:3 9:20 10:8 11:2,5,8,15 13:1 14:1,4,15 15:1,14 15:18 16:10 17:14 18:3,10,22 19:11 20:14,22 21:11 22:5,9,21 23:7 24:21 25:6,6,7 26:17 27:6,17 28:8,12,16,18 29:22 30:15 31:2 31:4 33:11 34:6,9 37:8 38:8,19 39:5 39:16 40:5,13,22 40:22 41:5,9 42:1 42:4,4,17 43:10 43:18 44:18 47:2 47:16,21 49:7,19 50:19 51:2,18 52:2,14,21 58:14 58:15 59:2,15,18 60:16,20 61:4,4,8 63:7,17 64:6,10 64:14,17 67:4,17 68:1 <b>onboard</b> 59:8 <b>once</b> 6:9 7:6 16:19 16:20 24:13 36:4 36:13 54:7 65:3 <b>one-shot</b> 31:12 <b>one-time</b> 31:13 <b>open</b> 29:19 <b>operating</b> 6:17 <b>opinion</b> 44:1 <b>order</b> 57:15 <b>orderly</b> 10:9,18 <b>organized</b> 59:9 <b>other's</b> 35:20 36:7 <b>out-numbered</b> 12:16 13:12 <b>outside</b> 4:9 6:9 7:17 8:2,12 12:11 17:1 20:13,17 22:18 24:18 26:11 29:2 29:15 31:10 32:1 42:10 43:17 44:10 47:5 48:6,14,18	49:12 54:19,21 55:7,8,8,10 63:13 64:14 65:4 66:8 66:15,17 <b>overall</b> 50:11 <b>owner</b> 26:22 27:3,4 39:3 64:5,15	57:15 58:12 61:15 61:20 62:7,8,18 63:8 65:3 66:7,8 66:13 <b>performance</b> 38:2 <b>performer</b> 54:14 <b>perimeter</b> 66:16 <b>person</b> 11:20,21 19:15 25:10 37:18 48:11 <b>personal</b> 44:1 <b>personally</b> 41:8 <b>personnel</b> 20:21 26:5 37:6 <b>perspective</b> 8:5 31:15 63:15 <b>pertinent</b> 29:8 <b>phone</b> 34:12 <b>photographer</b> 35:6 <b>physically</b> 36:22 46:21 <b>piece</b> 4:2 <b>place</b> 6:8,10 20:5 64:8 67:9 <b>placed</b> 9:19 14:19 <b>plan</b> 9:18 <b>planning</b> 67:14 <b>Please</b> 53:13 <b>point</b> 8:10 24:16 28:2 35:1 45:18 55:7 59:19,21 <b>pointing</b> 29:11 <b>police</b> 3:19 36:13 54:3 55:15 56:5,5 60:8,10,12 <b>politely</b> 42:21 <b>Porter</b> 53:16 54:5 <b>portions</b> 23:15 <b>position</b> 59:5 60:17 <b>Positive</b> 63:3 <b>possible</b> 49:11 <b>potential</b> 42:11 <b>prefer</b> 39:21 <b>prepared</b> 64:12 <b>PRESENT</b> 2:1,11 <b>presiding</b> 1:21 <b>pretty</b> 27:21 36:12
<b>N</b>	<b>O</b>		<b>P</b>	
<b>N.W</b> 1:20 <b>name</b> 3:13 4:4 11:21 33:22 34:3 <b>NE</b> 1:8 <b>near</b> 22:17 55:1 <b>necessarily</b> 32:10 37:22 <b>need</b> 44:10 66:11 66:12 <b>needed</b> 35:2 <b>neighborhood</b> 64:16 65:18 <b>Neither</b> 36:9,10 <b>never</b> 15:12,13 35:18 38:14,15	<b>oath</b> 4:13 <b>obtaining</b> 29:11 <b>obviously</b> 11:19 24:1,15 26:3 39:8 48:3 62:16 63:22 65:17 66:6,16 <b>occasionally</b> 53:19 <b>occur</b> 9:4 <b>occurred</b> 7:6,8 20:11 26:14 54:17 <b>occurrence</b> 31:13 <b>occurring</b> 56:22 <b>October</b> 1:15 68:3 68:7 <b>offense</b> 33:9 <b>offer</b> 56:19 57:12 <b>office</b> 4:18 51:14 <b>officers</b> 53:18 60:12 <b>officially</b> 53:17 <b>oh</b> 21:17 <b>OIC</b> 68:3 <b>okay</b> 3:3,15 4:1,6 5:3,17 7:12,19,22		<b>P-R-O-C-E-E-D-...</b> 3:1 <b>p.m</b> 3:2 68:13,18 <b>pan</b> 24:20 <b>panned</b> 25:3 <b>pans</b> 24:21 <b>paper</b> 4:2 <b>parked</b> 33:8 51:10 51:11 52:6 <b>parking</b> 8:18 9:13 42:7 50:14,22 51:16,19,19 52:1 52:4 53:1 56:16 57:16,17 <b>part</b> 15:2 37:15 38:17 <b>particular</b> 46:19 57:20 <b>particularly</b> 15:17 <b>party</b> 38:1,3 50:17 <b>partying</b> 66:14 <b>pat</b> 36:22 37:2 62:18 <b>patron</b> 11:20,21 29:16 33:8 <b>patrons</b> 28:4 29:16 34:18 56:2 64:11 <b>pattern</b> 31:11 <b>pay</b> 51:17 <b>people</b> 6:12,14 9:13 10:5 12:20 16:1,3 17:17 18:5,9,18 18:21 19:12 21:6 22:17,18,22 28:9 39:17 40:3 41:14 45:15,17 46:17 47:5,10 48:10,20 49:15 52:6 57:12	

37:14 50:15 58:15 58:19 <b>prevent</b> 36:20 <b>previous</b> 18:17 <b>prior</b> 46:10 <b>probably</b> 40:16 55:1 <b>problem</b> 14:15 <b>problematic</b> 26:7 <b>problems</b> 31:11 <b>procedure</b> 30:10 <b>proceed</b> 5:19 <b>producing</b> 46:10 <b>protect</b> 66:3 <b>protection</b> 56:6 67:2 <b>provided</b> 46:7,16 <b>providing</b> 39:10 <b>proximity</b> 30:8 <b>PSA</b> 14:9,13 <b>Pullian</b> 2:15 3:18 3:19 5:12,15,22 7:5,10,16,20 8:1 11:4,6,12,16,22 12:5 13:4,7,11 14:2,11,20 15:4 15:11,16 16:5,9 16:20 17:11,18,22 18:8,11,19 29:3 29:17 30:4,9,22 33:2 46:4,14 47:13,17,22 <b>purposely</b> 41:19 <b>purposes</b> 24:3 <b>purse</b> 35:2,2 <b>push</b> 26:13 42:14 43:14 <b>put</b> 28:4 64:3	<hr/> <b>R</b> <hr/> <b>radar</b> 56:12 <b>raises</b> 44:4 <b>rang</b> 9:12,12 <b>rats</b> 39:12 <b>read</b> 58:1 67:1 <b>reading</b> 19:11 <b>ready</b> 36:2 47:10 47:11 <b>real</b> 66:11 <b>realize</b> 5:8 27:18 <b>really</b> 8:22 18:4 29:19 32:9 35:18 36:1 41:3,6,7,15 42:19 49:2 52:10 55:5 58:1 61:9 64:7 67:6 <b>reason</b> 29:14 <b>recall</b> 7:17 <b>recess</b> 68:15 <b>recollection</b> 23:14 <b>recommendations</b> 50:10 <b>record</b> 4:4 31:9 32:6,18 34:4 68:18 <b>records</b> 50:21 59:11 <b>Reeves</b> 1:19 <b>reference</b> 53:16 <b>referring</b> 32:9 <b>reflect</b> 66:19 <b>reflecting</b> 32:19 <b>regards</b> 57:13 <b>register</b> 24:8 <b>regular</b> 14:9,13 30:20 43:11 49:16 <b>reimbursable</b> 6:18 55:15 56:11 58:5 58:17 60:10 <b>reimburse-able</b> 54:3 <b>rejoined</b> 12:10 16:22 <b>related</b> 8:12 34:15 41:2 59:7 <b>relationship</b> 18:17	<b>relationships</b> 60:9 <b>remember</b> 19:6,7 <b>report</b> 9:19 25:18 <b>reported</b> 53:12 <b>reports</b> 44:6 <b>respect</b> 4:15 61:1 <b>responded</b> 6:2 <b>responders</b> 62:3,3 <b>response</b> 5:2 28:20 59:3 61:3 <b>responsibilities</b> 48:4 <b>responsibility</b> 65:21 66:1,6 <b>rest</b> 9:15 <b>result</b> 48:12 50:7 50:12 <b>Retailer</b> 1:9 <b>retrieved</b> 12:9 16:21 18:15 <b>return</b> 68:15 <b>returned</b> 18:15 <b>review</b> 11:13 20:10 <b>reviewing</b> 9:2 <b>riding</b> 43:8 <b>right</b> 3:5,11 4:4 5:18 7:13 17:10 17:17,21 18:3,7 18:16 20:1 21:2 23:3,7,10 26:9,12 31:5 33:12 39:20 39:20 41:9 43:22 44:21 45:11,14 47:12 48:2,16 49:14,16 50:3 51:17 52:5,5,17 52:17,19,20 56:13 56:14 59:20,22 60:16,20 62:18,21 63:9,11,19 64:1,5 65:7,12,16 67:6 67:10,20 <b>Rodriguez</b> 2:6 17:6 17:7,8,14,20 18:3 18:10,16,22 44:19 44:20 45:1,5,11 45:14 46:1,12	47:2,16,21 48:2 48:19 49:7,14,18 61:10,12 62:20 63:1,4,17 65:1,7 65:12,16 67:19 <b>role</b> 33:15 <b>rolled</b> 8:7 <b>roof</b> 24:11,11,18,18 24:20 51:5,15 <b>Room</b> 1:19 <b>Rosa</b> 2:16 3:17 39:4,5 <b>roughly</b> 31:19 <b>round</b> 13:17 <b>running</b> 65:20 <b>runs</b> 19:16 21:22 <b>rushed</b> 45:17 48:10 61:20 <b>rushing</b> 45:20 46:17 47:11,15 48:20 <b>Ruthanne</b> 1:21 2:3	35:11,12 37:5 40:9,9 44:11 50:14 53:1 66:3 66:12,17,18,22 <b>security-wise</b> 56:3 <b>see</b> 20:6 21:20 22:16 44:3,6 45:12 48:9,21 49:3 51:6,9 52:6 <b>seeing</b> 44:9 <b>seen</b> 19:12 38:21 47:4 49:11 <b>self-defense</b> 48:1 <b>sense</b> 5:8 <b>sent</b> 4:18 26:6 <b>seriously</b> 58:3 <b>service</b> 14:8 25:19 <b>settlement</b> 9:18 55:20,21 57:4,13 58:18 <b>share</b> 11:10 <b>shed</b> 29:1 <b>shook</b> 36:7 <b>shooter</b> 6:21 11:11 11:20 29:12 36:10 36:11 38:6,9,13 49:5 55:8 61:18 <b>shooting</b> 4:8 6:2,10 7:6,7,15 9:21 10:9 11:9,11 24:13 30:11 54:7,17 55:9 62:15 63:13 64:8,20 <b>shoots</b> 61:15 63:21 <b>shop</b> 29:20 <b>short</b> 2:8 14:5,6,15 15:1,9,13,18 21:9 29:22 30:1,7,15 31:2 52:21,22 53:7 54:2,6,15,20 55:11 56:1,5,7,9 56:14,20,22 57:3 57:7,21 58:15,22 60:11 61:7 <b>shortly</b> 57:6,11 <b>shot</b> 6:4 9:11 12:17 13:2 18:6 26:9
<hr/> <b>Q</b> <hr/> <b>question</b> 7:2 20:18 21:1 23:8 30:15 31:7 49:22 <b>questions</b> 7:13 17:3 26:16 39:1 60:21 <b>quick</b> 7:2 <b>quiet</b> 27:21			<hr/> <b>S</b> <hr/> <b>safe</b> 67:9 <b>safer</b> 60:4 61:2 <b>safety</b> 12:14,15 13:3,13,14 18:14 <b>sales</b> 25:19 <b>saw</b> 9:3 10:11 13:19 19:8 20:12 23:6 35:10,19 47:1 57:14 <b>saying</b> 41:19 44:8 52:8 64:15 65:22 <b>says</b> 16:20 19:11 32:8 62:17 63:22 <b>scared</b> 60:2 <b>scene</b> 6:4 8:9 14:3 30:3,5 <b>scuffle</b> 45:9 <b>searching</b> 56:8 <b>seconds</b> 9:11 <b>security</b> 9:10,18 19:15 21:22 27:15 28:3 29:10 33:20 34:1,3,18,20	

49:15 62:9,11 66:8 <b>shots</b> 9:12,12 10:21 12:20 13:21 45:3 45:6,9 59:16 <b>shoulders</b> 66:6 <b>shove</b> 26:13 <b>shoving</b> 9:7 <b>show</b> 39:13 <b>showed</b> 24:19 <b>showing</b> 36:15 <b>shows</b> 24:18,18 <b>side</b> 10:17 <b>sign</b> 4:2 <b>Silverstein</b> 2:7 7:14 13:6,9 16:11,12 17:2 25:8,9,14,21 26:15 31:6,8,16 31:20 33:10 53:13 <b>sir</b> 19:9,20 20:19 21:19 22:4,16 23:2,6,12 24:9 25:5,13,17 27:2 28:11,15 31:15 32:12 44:22 49:19 58:14,21 <b>sits</b> 52:15 <b>sitting</b> 51:6,9 <b>situation</b> 12:17 35:15,16,18 <b>Six</b> 37:7 40:11,12 <b>skirmish</b> 22:7 <b>slight</b> 49:1,8,9 <b>small</b> 26:10 <b>social</b> 59:10 <b>somebody</b> 7:17 18:4 19:17 47:7 48:12 51:7 58:9 61:14 62:15 63:7 63:20 <b>sorry</b> 27:12 32:12 46:13,14 <b>sort</b> 4:21 36:6 42:9 <b>sounds</b> 44:12 67:10 <b>speak</b> 27:7 31:12 41:3 53:13 55:5 <b>specific</b> 4:14 21:1	67:14 <b>spelling</b> 4:4 <b>spent</b> 51:13 <b>spin</b> 50:21 <b>spoke</b> 8:15 27:3,4,9 27:15 29:9 35:17 36:4,13 <b>spoken</b> 38:11 <b>sporadic</b> 20:20 <b>spot</b> 28:5 <b>square</b> 63:18 <b>squashed</b> 28:5 <b>staff</b> 64:12 <b>stairs</b> 19:13 <b>stairwell</b> 10:17 <b>stairwells</b> 20:4 <b>standing</b> 35:20 <b>start</b> 3:10,11 5:4 21:16 <b>started</b> 24:13 56:18 <b>starts</b> 26:8 <b>state</b> 12:1,3 <b>stated</b> 8:16 12:5 18:21 <b>statement</b> 12:22 16:8 18:1 <b>statements</b> 28:22 <b>states</b> 16:6 <b>stay</b> 21:12 41:15 53:22 <b>Steakhouse</b> 68:2 <b>stepped</b> 36:4 <b>steps</b> 34:21 <b>stick</b> 58:2,19 <b>Stopped</b> 25:22 <b>storage</b> 24:4 <b>stray</b> 6:13 <b>stream</b> 19:12 <b>street</b> 1:8,20 3:7 6:14 42:20 43:1 45:9 51:21 52:1,7 57:16 68:11 <b>stuff</b> 66:18 <b>substantiate</b> 9:17 <b>Subway</b> 29:20 <b>sudden</b> 47:10 <b>suddenly</b> 63:20	<b>suffering</b> 6:4 <b>sufficient</b> 66:3 <b>suggestion</b> 57:22 58:1 <b>Summer</b> 4:8 <b>supposedly</b> 63:21 <b>sure</b> 4:3 5:22 15:22 32:18 33:12 37:18 40:17 43:20 45:19 49:2,13 51:8,8,15 53:20 55:4 63:1,5 63:5,13 65:14 66:1 <b>surprised</b> 45:2 <b>suspect</b> 16:13 30:2 30:19 47:1 58:10 <b>suspicion</b> 41:1	<b>thin</b> 53:22 <b>thing</b> 9:16 21:4 29:19 62:1 <b>things</b> 23:17,19 24:4 33:16 42:5 44:6 47:4 48:6 50:20 59:11 <b>think</b> 24:3 27:11 44:10 54:15 59:21 60:4 67:14 <b>third</b> 6:4 <b>thought</b> 23:18 <b>threatened</b> 18:5,9 <b>threatening</b> 34:17 <b>three</b> 12:20 13:21 25:19 30:13 62:8 66:7 <b>three's</b> 10:19 <b>tied</b> 35:14 <b>time</b> 5:8,10 9:21 10:16 13:20 14:7 19:18 21:9 22:14 22:22 25:14 28:14 35:1 37:3 47:3 50:5 51:5,5,13 53:20,20 61:19 <b>Timehri</b> 68:10 <b>times</b> 39:11 42:22 43:2,13 <b>today</b> 4:14 14:7,14 58:4 <b>told</b> 54:10 <b>transpired</b> 8:17 27:18 <b>trash</b> 9:8 22:7 <b>trends</b> 44:9 <b>tried</b> 48:13 <b>trouble</b> 41:1 58:7,9 <b>Trouble-makers</b> 58:8 <b>try</b> 24:14 41:15 42:13,14 64:22 <b>trying</b> 23:16 36:6 58:4 <b>turned</b> 12:19 13:18 45:13 <b>two</b> 5:18 6:3 8:21	12:20 13:20 20:7 21:21 28:4 29:6 34:19,19 35:17 36:9,10 38:10 46:20,22 48:18 50:19 63:8,8,19 <b>two's</b> 10:19 <b>type</b> 6:18 <b>Typically</b> 47:17
<b>U</b>				
<b>understand</b> 10:3 41:10,17,18 60:8 65:8 <b>Understandably</b> 20:3 <b>understanding</b> 27:20 <b>understood</b> 4:22 15:22 <b>unruly</b> 22:19 <b>upstairs</b> 37:15 40:3 <b>use</b> 54:10,12 <b>utilized</b> 10:15				
<b>V</b>				
<b>valet</b> 56:16 <b>valuable</b> 5:9 <b>vehicle</b> 12:10 14:3 16:21,22 17:9,16 <b>vehicles</b> 43:14 <b>venue</b> 15:10,15 <b>verbal</b> 12:6 15:8 35:19 <b>verify</b> 18:13 <b>version</b> 18:2 47:19 <b>vested</b> 60:3 <b>victim</b> 6:5 7:18 <b>victims</b> 6:3,7,11 8:15,16 29:4,6 <b>video</b> 9:2,4 10:11 11:1 19:7 25:2 36:15 39:10,13 <b>videos</b> 29:11 <b>view</b> 51:16 59:19 59:22 <b>viewed</b> 19:21				

<b>vigilant</b> 60:5	47:7 48:12 64:14	68:9	<b>7</b>
<b>violations</b> 9:18	64:19 68:18	<b>14-251-00227</b> 68:5	<b>771</b> 68:6
31:19 32:9,10	<b>weren't</b> 7:3,9 22:19	<b>14-251-00248</b> 1:11	<b>77730</b> 68:11
<b>violence</b> 31:21	28:6	3:6	<b>79238</b> 1:10 3:8
<b>violent</b> 35:12	<b>white</b> 9:6 20:12	<b>14-PRO</b> 68:9	<b>8</b>
<b>vote</b> 55:19	21:7,16 34:14	<b>14th</b> 1:19	<b>8</b> 68:3
<b>W</b>	<b>William</b> 2:17	<b>15</b> 1:15	<b>9</b>
<b>walked</b> 26:3	<b>Williams</b> 3:16	<b>18th</b> 30:12 68:10	<b>9:30</b> 68:8
<b>walking</b> 21:3	<b>wires</b> 39:12	<b>19</b> 68:13	<b>911</b> 34:12
<b>walks</b> 21:21	<b>wish</b> 38:7 65:5	<b>1C</b> 68:11	
<b>wand</b> 36:21 37:1	<b>witness</b> 7:18 8:2	<b>2</b>	
62:17	46:19 49:5	<b>2:38</b> 3:2	
<b>want</b> 5:5,19 7:1	<b>witnesses</b> 6:7 8:21	<b>200</b> 39:18 40:3 66:7	
8:22 11:12 15:21	46:5,7,16	66:13	
30:16 31:5 32:7	<b>woman</b> 25:11	<b>2000</b> 1:19	
32:17 33:13 34:13	<b>wonder</b> 28:22	<b>2008</b> 31:19	
39:8 48:9 58:9	<b>wondering</b> 29:13	<b>2010</b> 32:2	
60:7 67:5,21	<b>work</b> 47:3 62:7	<b>2011</b> 32:3	
<b>wanted</b> 4:10 46:21	<b>worked</b> 62:13	<b>2014</b> 1:15 68:3,8,13	
59:4 67:15	<b>working</b> 67:9	<b>2439</b> 68:10	
<b>wants</b> 5:7 33:12	<b>worried</b> 61:13	<b>250</b> 39:19	
45:22 46:2	<b>worse</b> 62:9	<b>26th</b> 30:12 32:4	
<b>warning</b> 12:17	<b>worth</b> 52:13	50:4	
<b>warrants</b> 4:18	<b>wouldn't</b> 55:2	<b>29</b> 68:7	
<b>Washington</b> 1:20	<b>wounds</b> 6:4	<b>3</b>	
58:11	<b>wrap</b> 61:5	<b>3:09</b> 21:17 25:12	
<b>wasn't</b> 8:11 10:15	<b>X</b>	<b>3:10</b> 19:11 23:1	
36:1 40:7 56:22	<b>Y</b>	<b>3:12</b> 10:3 19:15	
57:18	<b>yelling</b> 35:21	<b>3:13</b> 10:4	
<b>watching</b> 44:5	<b>young</b> 34:14,22	<b>3:20</b> 8:6	
<b>way</b> 26:4,9 51:11	35:8 58:12	<b>3:32</b> 68:18	
57:14 61:17 67:1	<b>younger</b> 62:14	<b>4</b>	
<b>we're</b> 4:13 11:19	<b>your's</b> 5:13,16	<b>4:30</b> 68:13	
32:18,22 53:5,8	<b>Z</b>	<b>45</b> 9:11	
53:21 56:10 59:20	<b>0</b>	<b>4D</b> 68:6	
62:4,5,6 64:9,10	<b>00057</b> 68:10	<b>5</b>	
67:14 68:15	<b>0300</b> 6:1	<b>501</b> 1:8 3:7	
<b>we've</b> 33:4,9,14	<b>1</b>	<b>5335</b> 68:5	
53:15 57:11 67:8	<b>10</b> 45:7	<b>5B</b> 3:8	
<b>weapon</b> 14:22	<b>13</b> 13:19 16:1 17:17	<b>5D</b> 42:22	
16:21 32:2,4	45:20 46:17	<b>5th</b> 3:20	
62:16 63:2 65:9	<b>13-CC-00119</b> 68:1	<b>6</b>	
65:10	<b>13-PRO-00173</b>		
<b>weapons</b> 33:18			
<b>weeks</b> 30:14			
<b>went</b> 16:14,17 17:9			